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International Court of Justice

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DR. FRITZ: Mr. President, Gentlemen of the Bench, the Defendant Fritsche, toward the end of yesterday morning's session, testified as to how he tried to aid persecuted persons insofar as he could with the very small means which were at his disposal. In order to conclude this testimony, and with the approval of the prosecution, I submit Exhibit No. 6, which is an affidavit of Count Westarp, which may be found in my Document Book No. 2 on Pages 23 to 25. I should like to submit this document to the attention of the High Tribunal. The date is the 15th of June, 1946. May I respectfully ask that the High Tribunal take judicial notice of the contents of this document.

Furthermore, as another piece of evidence, I should like to offer another affidavit, which is to be Fritsche Exhibit No. 8, deposed by a Mrs. Krueger residing in Berlin. This affidavit had not been incorporated into my document book as yet. However, the original has been deposed by Mrs. Krueger in German as well as in English and copies have been affirmed and sworn to. I should like to refer to the contents of this affidavit, especially to the last paragraph. From the next to the last paragraph we can see that Mrs. Krueger judges from singular cases and can speak generally as well, and that she has knowledge of the defendant.

The last paragraph is quite interesting. It deals with the manner of life led by the Defendant Fritsche. Apart from that, I should like to refer you Honors' attention only to the contents of this article and I ask that the High Tribunal take judicial notice of this document.

Finally, in this connection, I should like to refer to an affidavit which has been frequently quoted, deposed by Dr. Scharping, Fritsche Exhibit No. 2, which is to be found in the Document Book, Fritsche Exhibit No. 2, Pages 6 to 15. I should like to refer to Page 13, at the

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bottom of the page, and the top of Page 14.

BY DR. FRITZ:

Q Mr. Fritsche, I should like to put two more general questions to you on this topic. During the last period of the war, didn't you try to find out something about the final fate of the Jews?

A Yes. I used an opportunity that I want to discuss in the future. I asked a co-worker of Obergruppenfuehrer Gluecks, located at Oranienburg and Sachsenhausen, about the Jews. Briefly stated, his answer was as follows: that the Jews were under the special protection of the Reichsfuehrer SS and this Reichsfuehrer wished to make a political deal with them; that he considered them to be a kind of hostage, and that he had the wish that not a hair of their heads would be harmed.

Q In this proceeding, some of the prosecution's witnesses have stated that the German public knew about these murders. Now I should like to ask you, as a journalist, a journalist who worked in the National Socialist State, according to your knowledge and observation, what was the attitude of the broad mass of the German people to the Jews? Did the people know about the murder of the Jews? Please be brief.

A Leaving out all of those matters which have already been mentioned in this proceeding, I should like to state only a few observations which to me seem important. I shall omit the period of time which has already been described shortly after the First World War, a period of time in which certain anti-Semitic feelings were popular in Germany. I should like to state only that in the year 1933, at the time of the Jewish boycott which was established by the NSDAP, the sympathies of the German people openly turned to the Jews. During a period of years the Party, embittered, tried to prevent the public from buying in Jewish stores. Finally, there were warnings of punishments to keep the people from buying there. A decisive factor in this development was the issuing of the Nuernberg Laws. Through these Nuernberg Laws, for the first time, the fight against the Jews was taken away from the sphere of purely agitation, that is the kind of agitation from which one could remain aloof, and was transplanted into the soil of State policy. At that time there was a shutter between the German people, for now there was a division which applied even to single families. At that

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time many human tragedies resulted, tragedies which were obvious to many. These racial laws could be justified on only one ground; there was only one excuse for them and one explanation. That was the assertion and the thought, now, through this separation of the two peoples which is being carried through now, even quite painfully, now, at last, the wild and unbridled agitation will be at an end and in this separation peace will result where before there was only a lack of peace.

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When the Jews were forced to wear the emblem of a star, and when, for instance, in Berlin they were prohibited from occupying seats on streetcars, the German people took up the cause of the Jews in a demonstrative way, and again and again it happened that Jews were offered seats.

I heard many statements concerning this by Dr. Goebbels, who was quite embittered about the result which came about after the Jews had been marked in such a manner.

I, as a journalist who worked in that time, am of the firm conviction that the German people did not know about the mass murders of the Jews. Assertions which were made and rumors and reports which penetrated to the German people from the outside, were again and again officially denied. Because I do not have the actual proof at hand, I cannot tell you from memory the actual individual cases of denial, but I do remember one case specifically and exactly. That was the moment when the Russians, after they recaptured Karkov, started a legal proceeding in whichfor the first time killing by gas was mentioned.

I ran to Dr. Goebbels with these reports in my hand and I asked him just what was going on here. He stated that he wanted to have the matter investigated, that he was going to discuss this matter withHimmler and with Hitler. The next day he announced a denial to me, this denial was not announced publicly, and the reason for that was that in a German legal proceeding, the things which would have to be cleared would have to be brough forth in a much clearer way.

Quite specifically, Dr. Goebbels stated to me that the gas vans which had been mentioned in the Russian legal proceeding were a pure figment of the imagination and that there was no proof, in fact, for any statement like that.

Not for nothing were the people who operated these vans put under the ban of strictest secrecy. If the German people had learned of these mass murders, certainly they would not have stood behind Hitler any longer. Perhaps they would have sacrificed 5 million for a victory, but never would the German people have wished to bring about victory by the murder of 5 million people.

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I should like to state further that this murder decree of Hitler's seems to me the end of every race theory, every race philosophy, every kind of race propaganda, for after this catastrophe, any further representation of the race theory would be equivalent to standing for the introduction of murde, an ideology in whose name 5 million people were murdered is a theory which cannot continue to exist.

Q Now I shall turn to a different topic. You are accused by the Prosecution of having agitated in favor of atrocities, and that the results of your propaganda applied to every phase of conspiracy, including abnormal and inhuman treatment and behavior. In this connection, I shall have to ask you about the pattern of concentration camps.

Did you know that the concentration camps existed?

A Yes, the fact of their erection was announced publicly, I believe in 1933, and the concentration camps were mentioned later in official communiques.

Q In your opinion at that time, what was the purpose of these camps?

A According to my recollection, it was stated that those people were to be taken to these camps who could not be prevented from active work against the new state. It was described in this way, that there were two large parties with a rather incompetent center. One of these large parti had assumed thepower. Later, habitual criminals were to be taken into these concentration camps so that they would not revert back into crime.

Q Did you know anything about the number of concentration camps which were established in the course of time?

A Before the war, I had heard about three camps. During the war, I assumed there were five to six, and the picture which was shown here of a large number of camps was quite a surprise for me.

Q Did you know anything about the number of inmates in these camps?

A Nothing definite. In the beginning of the war, foreign reports mentioned millions of inmates. At that time, together with some other journalists, I asked Obergruppenführer Heydrich to speak before the local and foreign press and to declare himself ready to debate and discuss this matter. He did this. According to my recollection, he did not give any

absolute figures, but rather he drew a parallel and a comparison to the inmates of the prisons and penitentiaries of former days. This comparison did not seem to be disturbing. That was in the winter of 1940 or 1941.

Q Didn't you have any doubts as to the accuracy or authenticity of these figures?

A Not at that time.

Q Did you know anything about the fact as to how conditions were in the concentration camps? Did you speak with anyone who had ever been in a concentration camp?

A Yes. Even as early as 1933 or 1934 I spoke with a journalist who for some weeks had been interned in the old concentration camp Oranienburg. He reported that he himself had not been tortured, but that he had seen and heard how others had been beaten and how their fingers had deliberately been squeezed in a door.

Q Did you just receive these reports and do nothing about them?

A Quite the contrary. I made a lot of noise. This journalist -- I believe his name was Stolzenberg, as far as I remember -- did not wish to be quoted by name. I wrote three letters, one to Dr. Goebbels, and Dr. Goebbels advised me that he would look into this matter. I wrote a letter to Frick as Minister of the Interior, and one to Goering as Prussian Prime Minister.

As a result of these, I had telephone calls from major officials, and each one told me that an investigation was being carried on. A short period thereafter, I heard that this old camp Oranienburg had been dissolved, that the commandant had been sentenced to death. This was a report given to me by a Mr. von Luetzow, who was the press chief of the then leader of the State Police, Diehls.

Q After this first successful protest against mistreatment, did you receive further reports about cruelties and atrocities in concentration camps?

A No. No further reports about mistreatments came to me. On the contrary, however, I frequently inquired of people of the Gestapo or the press section of the Reichsfuehrer SS. All of the individuals whom I asked stated the following, that the methods which were to be decried, had taken place in 1933 or in the beginning of 1934 in the concentration camps, supervised by SA men.

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These were members of the SA, who did not have a profession and whose time was there own and who were ready to serve all day long and among those people the better elements were not very frequently found. I was further told that the 30th of June had been a housecleaning for these matters. The 30th of June had done away with those Gauleiters and those SA leaders who had abused their power. Now, they told me, the concentration camps were being guarded by SS guards who were professional guards, administrators by profession and officials dealing with criminal matters who were professionals in that line and other supervisory personnel and I was told that that would be a guarantee against abuses.

Q Did you inquire after certain individuals who were in concentration camps?

A Of course, after such well-known people as Father Niemoeller or Schuschnigg and I inquired after Leipkin, who was the private secretary of Hess, who had been arrested and in each case I received information which was calming and reassuring.

Q They, of course, may have been exceptions because they were prominent people or important people. Did you not try to speak with other people from concentration camps?

A Yes. In April of 1948 I met a former functionary of the Communist Party, whose name was Reintgen. We had been together as soldiers for six months and therefore he reported quite openly, without keeping anything back from me.

He said that in 1933 he had been mistreated by being beaten on his back. However, he had not been mistreated later on and this was a piece of information which coincided with my observations.

Q Did you yourself visit concentration camps?

A No, I have never been inside the compound of a concentration camp. However, frequently in the winter of '44-'45 I was in the administrative building near the camps Oranienburg and Sachsenhausen. Apart from that, I spoke as far as it was possible for me at all, with inmates if I happened to see them

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on the march or at work.

Q With whom did you speak at Oranienburg?

A With the co-worker of the Obergruppenfuehrer Gluecks and two times with this man himself. These people told me that the foreign reports regarding cruel treatment were incorrect. They said that the treatment was not only humane but extra-ordinarily good for the inmates after all were valuable laborers. I spoke at length about the working hours and especially did mention this point for at that time a rather silly decree was given out about the lengthening of all working hours. The attitude taken by Gluecks was very reasonable and it was to the effect that a longer period of working time would not necessarily result in more work and therefore a period of time from eight to ten hours a day was maintained. Destruction through work he did not mention and that is something about which I heard here for the first time.

Q And how about your questions which you put to the inmates directly?

A First of all a guard interferred and then the inmates quite naturally showed a deep mistrust but when I put factual questions, on the whole, I received factual replies and to summarize these briefly, the gist of these replies was always that there arrest was unjust; that their food was really better than in prison and frequently I heard this sentence -- "Well, anyway we are not soldiers here" -- and the weapons used by the guards were only rifles or revolvers. I saw no instruments for beating.

Q Did you not, as to these concentration camps, get more and more distrustful, especially when you received the radio reports from abroad?

A Not for a long time for the reasons given by me yesterday. In April of 1945 reports came in from English members of Parliament regarding the Buchenwald case but this case is so very recent in the course of time that for brevity's sake I do

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not need to describe the incidents and happenings that occurred there.

Q How can you explain the fact that without doubt crimes and mistreatment of the worst sort did take place in concentration camps?

A I am confronted with a terrible puzzle for during the course of my imprisonment I heard the first reliable reports about these things. Only a part of these terrible conditions which existed can be explained through the stoppage of traffic and communication at the end of the war. The balance is more than enough. Obviously, the decree for the secret

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murder of masses of people had brutalized these people who were charged with the execution of this decree to such a terrible extent.

THE PRESIDENT: The Tribunal does not know whether this explanation has any evidential value for us and we have heard all about this matter already. He has given is his explanation as to why he says he did not know.

DR. FRITZ: Mr. President, I have but two more questions I should like to put to the defendant.

BY DR. FRITZ:

Q. Mr. Fritsche, it has been said here in this Court that conditions in concentration camps were generally known to the German people. Will you give us your opinion and your attitude as a journalist? Give your attitude which you can justify?

THE PRESIDENT: Has he not given us that already?

DR. FRITZ: No, I beg your pardon, Mr. President. He mentioned something to that effect when he dealt with the mistreatment and destruction of Jews. He touched on that topic as to the extermination of Jews. On that occasion I had asked him--

THE PRESIDENT: Well you are asking him what his opinion as a journalist was. I do not see that that has any importance to us.

DR. FRITZ: Mr. President, I should be duly grateful if I might ask the question, as this is my next to the last question, and if you would permit me to do so. I expect an answer from the defendant, an answer which would assist the Tribunal in arriving at a judgement.

THE PRESIDENT: What will the answer be about?

DR. FRTIZ: The defendant, Fritsche, would like to make a few statements such as statements made by Dr. Goebbels.

THE PRESIDENT: All right, you may ask the question.

BY DR. FRITZ:

Q. Did you understand the question?

A. I believe a confusion has arisen, since we do not wish to quote Dr. Goebbels in this connection but rather we want to

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quote him in relation to our last series of questions and this last group seems more important to me than the question you have just put to me now.

Q. In any event, I should like you to give me a brief answer to my question. Shall I repeat the question?

A. Thank you, no.

In this connection I should like to point out briefly as to the statements that I made about murders; that there were many, many rumors but these rumors were denied. Without doubt there was an iron ring of silence about these terrible happenings. The observation which I made, and which is important, is that in the RSHA and some of its branches, there must have been groups who worked systematically with the end in view of concealing these atrocities and who issued quieting reassurances and who issued denials and these statements were given out to these groups who represented the public.

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Q Now I should like to put my last and summarizing question: In your interrogation by me you have made statements about Hitler and his policies which were quite different from the statements that you made long ago in your radio broadcasts and so forth. Can you briefly tell us the date and the reason for your change of opinion?

A I ask for permission to do this quite accurately. The first station on this way of realization and the first thought in this process was not the German defeat, for right or wrong is independent of victory or defeat. The fact was that Hitler tried to use this defeat for the self-destruction of the German people, as Speer has testified and confirmed, in a most terrible way, and as I could observe in the last phase of the conflict in Berlin when, under the pretense of a false hope, fifteen-year-old, fourteen-year-old and thirteen-year-old boys were equipped for war with hand firearms and called into battle, boys who perhaps might have been the hope for the period of reconstruction. Hitler fled into death, and he left the decree and the order to keep on fighting. He also left the official report that he had died in battle.

I learned that he had committed suicide, and my last public statement, on 2 May 1945, was the publication of the fact of this suicide, for I wanted to kill a Hitler legend in the bud.

Then, in prison, I heard from an imprisoned major, whose name was Sforner, that he had been arrested by the Gestapo, that he had been tortured in order to get a confession from him and that before his eyes his wife had been beaten. That was point number two which made me change.

The third point was given by another co-prisoner, the world-known General Wiedermeier, who proved to me that the reasons given by Hitler for the attack on Russia had been wrong, at least in one important part. After he had talked with the interpreter, he could tell me that in the decisive discussion of Molotov and Ribbentrop in 1941, Molotov had not put any new demands

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in this decisive discussion but that, rather, he wanted the assurances which had been given in 1939 to be put into effect. A part of the reasons given was that our attack on Russia was to anticipate a Russian attack. Therefore, a part of the reasons was lacking.

The fourth factor was the proof shown in the Court here of the millions of Jews. I have already talked about this matter.

I consider it only my duty to testify to one statement, a statement which Dr. Goebbels made in my presence on Saturday, 21 April 1945. While he was excited, Dr. Goebbels, mentioning the last, decisive breakthrough of the Russians at Berlin, said, "After all, the German people did not want things any different. The German people decided in the referendum or plebiscite on the leaving of the League of Nati ons, and in that step they decided by a great majority against a policy of surrender and chose, instead, a policy of courage and honor," and Dr. Goebbels concluded, " In this way, the German people itself chose the war which it has now lost."

These were the last words which I heard spoken by Dr. Goebbels and these words are untrue. I should like to state on my oath that never before had Dr. Goebbels given such a tremendous significance

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to that plebiscite. Never had he given it that interpretation, that meaning and sense. The exact opposite had been true. The German people, on the occasion of this plebiscite , had expressedly once more been given a solemn assurance of the will for peace on the part of Hitler and his associates.

According to that, I could see that Hitler and at least some of his co-workers, in some decisive instances and points, on the basis of the opening premise, had deliberately lied to the people--and something which is not quite so important for history--I consider that I was lied to on these counts as well.

DR. FRITZ: Mr. President, I have no further questions that I would like to put to the defendant Fritsche.

THE PRESIDENT: Does any other Defense Counsel want to ask any questions?

BY DR. STAHMER: (Counsel for defendant Goering)

Q Mr. Witness, did you learn about these things and ascertain that at the beginning of the erection of the concentration camps, despite the existence of the regular camps, there were the so-called wild-cat camps which the SA leaders had established without the knowledge of the competent authorities?

A No. At that time I did not learn of those things. However, here in this courtroom, for the first time, I heard about this difference in the concentration camps.

Q On the basis of the knowledge that you have today and referring to the abuses that you mentioned, did these abuses take place, also , in these wild-cat concentration camps?

A I can give you a very precise answer to that question. These abuses about which I learned arose in the old camp Oranienburg, in Berliner Strasse. To what category that camp belonged, I do not know. These abuses were stopped, of course, and I emphasized in my testimony that almost immediately after the occasion of my letter addressed to the Prussian Prime Minister, I was called by a Ministerialdirektor and received assurances of an investigation -- a promise which was kept. Of course, on that occasion, I do not recall whether this office called me once more to give me a final report.

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DR. STAHMER: I have no further questions.

BY DR. KUBUSCHOK (Counsel for defendant von Papen):

Q In June 1934 the publication of the Marburg Speech of von Papen was prohibited. Is it correct to say that from that period of time onward, any statement on the part of von Papen was granted only with the approval of the Propaganda Ministry, approval given in advance before the speech or statement could be published?

A That is correct, and in even a closer sense, action on the Marburg speech was, as I remember it distinctly, caused by the later Ministerial-direktor Berndt. This man called the attention of Dr. Goebbels to the speech, and, with respect to any other statement made by Papen, the principle was effective that not even the Propaganda Ministry would have the right to give them out, but, rather, that they had to be transmitted either to the Minister in question or to the Fuehrer.

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Q In your testimony you mentioned that you had known the defendant von Papen for quite some time and that you learned to know him when you visited Turkey. Just when did you visit Turkey?

A In January, I believe it was 1944.

Q What was the purpose of your visit?

A I delivered a speech to the German Colony at Istanbul and Ankara on the 30th of January.

Q Did Mr. von Papen have anything to do with this speech and with this festivity?

A No, less than nothing. I received an official request from Berlin to see to it that Mr. von Papen would not depart before the celebration of the 30th of January, as he was wont to do. To the contrary, I did not try to persuade Mr. von Papen, and in time he left his office in order to go ski-ing.

DR. KUBUSCHOK: That is all.

BY DR. KLEFISCH (Counsel for the SA)

Q Witness, you just now said thatit had been reported to you that at the end of the year 1933 and at the beginning of the year 1934 SA men, without professions, were guarding certain concentration camps and that certain abuses were to be traced back to that fact. I have but one question, Who reported that to you? Who was the author of that report?

A The then press chief or press expert of the Reichsfuehrer SS Himmler whose name was Gerhard Radke.

DR. KLEFISCH: Thank you very much.

BY DR. SAUTER (Counsel for defendant Funk):

Q Witness, the day before yesterday you stated that the defendant Funk was not concerned with propaganda in the Propaganda Ministry, but that, in the main, he was concerned with organizational matters rather than propaganda matters. Now I should like to ask you to answer several questions regarding the activities of the defendant Funk; that is, his activities in the Propaganda Ministry, of course.

First of all, a Press Department of the Reich Government did exist, and that was a state institution. How long did this press department exist, and what became of it?

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A It existed for quite some time. Up until March of 1933 it was a branch of the Foreign Office. From that time onward it became a branch of the Propaganda Ministry, and from that time on it had a dual mission to carry on, first of all to be the press department of this Ministry, and secondly, to be a press department for the Reich Government and function as such.

Q Witness, can you tell me, beginning with March of 1933 -- that is, from the incorporation of the Press Department into the Propaganda Ministry -- who was the Chief of this Press Department and, for all practical purposes, was the chief of the press system? Was that Funk or was it someone else?

A No, that man was Ministerial Counsellor Hancke, successor to Ministerial Director Berndt. This Press Department was then partitioned into three sections: German press --

Q I am not interested in that, witness, I am interested only in knowing whether the chief of this department was the defendant Funk, or whether it is correct to say that he had nothing to do with those matters.

A Nominally, of course, he was the chief, but as far as the practical work was concerned he had no connection with that. That came from Dr. Goebbel to Hancke, and to Jancke.

Q And later to Berndt?

A Yes.

Q Witness, I have another question. Who had the management of the press policy in the Propaganda Ministry? In this case I am referring to the State organ. Did the defendant Funk have anything to say in this connection, or just who was it? Who directed the press policy?

A At that time Dr. Goebbels himself exercised that function. Later on it was the Reich Press Chief, Dr. Dietrich.

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Q The defendant Funk was State Secretary in the Propaganda Ministry, or at least he had the title of State Secretary. Now, looking at this matter rather generally, I would be interested in knowing this. Did he, in fact, have the position of a State Secretary and exercise authority as such, or was the function of State Secretary, who was the regular deputy of the Minister -- was that the function of another official?

A As a matter of course, naturally, he had the position, the power, the prestige and the salary of a State Secretary, but the practical work was distributed a little differently. I have already mentioned that.

Q Just how was it handled?

A Practically, Funk concerned himself with organization and finance as they applied to the gigantic cultural concern which was being developed at that time; whereas the actual policy was set up by Dr. Goebbels with the chief of his ministerial office, Hancke, who was the successor of Funk as State Secretary.

Q I have one final question, witness, which refers to another topic.

Do you know how Minister Dr. Goebbels, in November of 1938, or later, made statements about the Jewish pogroms of the 9th of November, 1938, and how he made statements referring to Funk?

A Much later, Dr. Goebbels stated in my presence that one, on occasion, would just have to be radical. At that time, when Funk had constantly stated that the Jews could not be eliminated from economic life, he, Dr. Goebbels, had to admonish Mr. Funk, that there were things for which he was responsible in the riots of the 8th of November.

Q In this connection did he say anything about the fact that this Jewish action, for which Dr. Goebbels was responsible was instigated with the specific purpose of discrediting Dr. Funk and confronting him with a fait accompli? Did he state anything like that?

A That was the sense of the answer that I just gave you.

DR. SAUTER: I have no further questions, Mr. President.

BY DR. SIEMERS (Counsel for the defendant Raeder):

Q Mr. Fritsche, in this Court we have heard what grave accusations are made against the defendant Raeder because of an article in the newspaper Der Vodkischer Beobachter. The article I refer to is "Churchill Sinks the

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Athenia", which was published on the 23rd of October, 1939.

DR. SIEMERS: Mr. President, this is document 3260-PS, equal to GB-218.

Q (Continuing): As far as the case Athenia is concerned, I should like to put a few questions to you.

Mr. Fritsche, when did the Propaganda Ministry receive the report about the torpedoing of the Athenia, and in what way? Through what channels did you receive this report?

A I cannot give you the date from memory, but I do know that we received this report by wireless; that is, we listened in to a foreign broadcast.

Q This wireless report came in shortly after the sinking of the Athenia, is that right?

A Without doubt.

Q Did the Propaganda Ministry get in touch with the Chief of the Naval Staff in order to learn the details of this matter?

A Yes, I personally did that because, quite by accident, I had a liaison officer from the Navy Staff in my office, for censorship purposes.

Q Whom did you get in touch with in the High Command of the Navy, and what did you learn?

A First of all, I spoke to the officer who was with me, whom I have just mentioned -- that was Kapitaenleutnant Hahn. Then he telephoned, and in all probability I phoned too, to the OKM, the High Command of the Navy. As far as I recall, I spoke to Korvettenkapitaen Wolf.

Q What did he tell you? What did Korvettenkapitaen Wolf tell you?

A Even at this early stage he told me that no German U-boat was in the area in question.

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Q What did he tell you? What did Korvettenkapitaen Wolf tell you?

A Even at this early stage he told me that no German U-boat was in the area in question.

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Q I should like to remind you that the Athenia was sunk on the 4th of September, 1939.

What did the Propaganda Ministry do after the High Command of the Navy had stated that it was not a German U-boat which had sunk the ship?

A This report was announced.

Q Mr. Fritsche, how did it happen that about six to seven weeks later the article "Churchill Sinks the Athenia" appeared, which was published on the 23rd of October, 1939? What are the antecedents? Shall I show you the article?

A Thank you, no. I remember this incident especially well, as I have checked my memory about it since this case was mentioned again for the first time here in the Court.

I know that the demand for the writing of the article, was made by way of directions which covered all details, and that the demand to write this article came directly from Hitler. The order to write thearticle went through two different channels; First, through a telephone call by the Reich Press Chief, Dr. Dietrich; and second, through a telephone call by Dr. Goebbels or one of his delegates--I am not able to tell you just who it was, whetherit was Goebbels or one of his delegates. This order was to be transmitted to Der Voelkischer Beobachter.

Now we come to the circumstances as to just why I remember the details. When I told one of my co-workers to inform the Voelkischer Beobachter, he came back to me with the report that that would not be necessary because the Voelkischer Beobachter had already heard the necessary details directly.

Q When was this order given by Hitler, and, respectively, Goebbels?

A The day before it appeared, I assume.

Q Did any office in the High Command of the Navy have any connection with this article?

A According to my knowledge, no.

Q Before this article was published, did you speak with Grand Admiral Raeder about this article, or did you advise him of the order given by Hitler in this direction?

A No, I believe that the High Command of the Navy hadno knowledge at all of the article, which originated in the manner that I have just

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described to you.

Q At any period of time at all did you again, later, speak with anyone in the High Command of the Navy, or with Grand Admiral Raeder about this case?

A Only here in theprison.

Q Mr. Fritsche, is it correct to say that in September of 1939 the paper "The Times" claimed that in Czechoslovakia, through German hands, ten thousand Czechs had been murdered at Prague, including the Lord Mayor?

A I do not know whether that was published in the Times, but this matter was mentioned in the News Chronicle.

Q What did the Propaganda Ministry undertake to do thereupon?

A German and foreign journalists were taken to Prague. If I am not mistaken, one of the foreign journalists who went along to Prague on that trip, as far as I can recall, is present in this courtroom.

Q What did these foreign journalists find? What did they find out?

A They had an interview with the Lord Mayor of Prague, who allegedly had been killed; they traveled about the country, and they reported accordingly.

According to that, the report was clearly untrue--at that time this report was shown to be quite false. However, I must add that since Monday of this week, since the testimony given by Mr. von Neurath, it has become quite clear to me that in the background, in the shade of this great and effective denial, an action of arrests was being carried out in Czechoslovakia. In order to clarify this matter, I should add this. There is something, dealing with --

THE PRESIDENT (Interposing): How does this affect Raeder?

DR. SIEMERS: Mr. President, I believe that in a certain way it is a parallel case to the article in the Voelkischer Beobachter, which the prosecution is stressing for reasons not quite clear to me.

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THE PRESIDENT: The tribunal thinks the evidence is incompetent.

BY DR. SIEMERS:

Q Mr. Feitsche, do you know what Dr. Goebbels attitude was to Grand Admiral Raeder?

A From the few statements which Goebbels made about Grand Admiral Raeder it could be seen that it was an adverse attitude, it was a repudiating attitude. He gave as his reason, on numerous occasions, that Raeder was adverse to the Party and the Party's wishes. He based this attitude on the positive position which Raeder took in Church matters, and the protection which he accorded Navy clergymen who were subject to attacks on the part of the Party.

DR. SIEMERS: Mr. President, I have no further questions.

BY DR. HORN (counsel for defendant von Ribbentrop):

Q Witness, you stated that a General Niedermeier was present which took place between Molotov and Ribbentrop. Just where did you get your information?

A There is a mistake contained in your question. I did not say that General Niedermeier participated in this discussion. What I did say was this, and I should like to elaborate a little bit on this point.

During my imprisonment I ran into this General Niedermeier who, for weeks or months, just before that time, had been in another cell, with the interpreter who had the task of interpreting the discussion of Molotov and Ribbentrop.

Q Did General Niedermeier give you the name of this interpreter?

A Without doubt, but I did not try to remember it.

Q I have one more question. After the last discussion on the 30th of October, 1939, between the British Ambassador, Sir Neville Henderson, and the then Foreign Minister von Ribbentrop, in which the basis for negotiations with Poland were made public, these conditions were published the next day in the Daily Telegraph, and allegedly this issue of the paper was to have

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been recalled. What do you know about this incident?

A First of all, I should like to correct an error which has found its way into your question. On the following morning of the day in question, the Daily Telegraph did not publish the conditions or the note, but, on the other hand, it brought forth a report about the fact that during the preceding night the British Government had been in consultation with the Germans about conditions for Poland, conditions which had been transmitted to them by their British Ambassador. Therefore, it could be seen from this article--at any rate, it could not be interpreted in any other way--that these conditions were known in London.

DR. HORN: Thank you very much.

BY DR. THOMA (Counsel for the defendant Rosenberg):

Q Mr. Fritzsche, you stated yesterday that the Voelkischer Beobachter had direct connections with the Fuehrer and with the Fuehrer's headquarters, and that was applicable during the time of the war. Whom did you refer to in the Voelkischer Beobachter when you said they had connections with the Fuehrer and the Fuehrer's headquarters during the war?

I did not mean personalities within the Voelkischer-Beobachter; I meant personalities at the headquarters. Therefore, Dr. Dietrich and his delegates made it their business to call the Voelkischer-Beobachter direct.

Q. You know that Rosenberg, since the year 1937, was not the chief editor of the Voelkischer-Beobachter?

A. I am of the conviction that even before that time he held that position in names only.

Q. Witness, can you tell the court, as far as the so-called actions of the Party were concerned--and I mean the burning of the books, the boycott in April of 1933, the Jewish actions in November of 1938-- whowas the motivating factor in all of these actions?

A. Today I am of the firm conviction that it was Dr. Goebbels.

Q. Witness, do you know that Goebbels, whenever Hitler was in Berlin, always was Hitler's guest?

A. That is not true in that way and in that sense. Before the war Dr. Goebbels saw Hitler only rarely.

Q. I have another question. Do you know that Goebbels had a direct telephone line to Hitler?

A. That is news to me. Now is the first time I heard that.

THE PRESIDENT: Dr. Thoma, this has nothing to do with Rosenberg, has it, the fact that Goebbels had a direct line to Hitler?

DR. THOMA: Mr. President, I wanted to know by that only whether Fritsche knows that Rosenberg had the same connection to Hitler and Goebbels.

THE WITNESS: I do not know what kind of telephone Rosenber had, and his connections. But I know, and I have heard frequently that Rosenberg seldom visited Hitler.

DR. THOMA: Thank you very much, Mr. President.

THE PRESIDENT: Is there any other defendants' counsel that wants to ask questions?

(No response).

THE PRESIDENT: Then we will recess.

(A recess was taken).

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THE PRESIDENT: Does the prosecution wish to cross-examine?

CROSS EXAMINATION

BY GENERAL RUDENKO:

Q Defendant Fritsche, I should like to begin my interrogation first of all in order to clear up the role you played.

A May I have the volume increased slightly, please? Thank you very much.

Q I should like to begin the cross examination in determining the role which the German propaganda played in the criminal activity of the Hitler government. Tell me, do you admit that the German propaganda disseminated racial theory and introduced into the minds of the German people the ideas regardingthe "master race" of the German people, do you admit that?

A The question touches upon two problems. May I reply to you to both of them? I admit that German propaganda spread the racial theory, but I deny that German propaganda spread the theory of the "master race."

Q So you deny this?

A No.

Q Very well. Do you admit that the German propaganda incited in the German people racial hatred toward the Jews and told about the necessities of their extermination?

A Once again this one question of yours contains two problems and may I answer separately?

Q You don't have to emphasize this. You can just answer. If there are two questions included you can reply to the two questions at the same time.

A I admit, as I have in my answer to your first question, that the German propaganda represented the racial theory but I deny that most emphatically that German propaganda had made preparationsor had incited the mass murder of Jews.

Q But you couldn't deny that the German propaganda incited in the German people their racial hatred toward Jews. You will have to admit that. You couldn't deny this.

A I cannot even affirm that without reserve. That is the reason why, in my answer to the second question, I used a slightly different touch.

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German propaganda, and under that I understand official German propaganda, did not even preach racial hatred. It preached the difference between races and that is something quite different but I will admit to you that there was one type of German propaganda which went beyond that and which did preach the clear cut and primitive racial hatred.

Q You will admit that the activity of the German propaganda was also directed to the persecution of the church?

A No, again I shall have to deny that.

Q Is it true, then, that the German propaganda was not directed toward the persecution of the church?

A That is exactly what I wanted to say. Official German propaganda did not persecute the churches but to clear up this point for you, here again there was an illegal propaganda not run by the state against the church and the state and its organizations, they were above this during the time of the church struggle, have made many utterances and committed many actions which might have created the impression as if they had participated in the struggle against the churches. By this, I mean the trials against clergymen and which had been organized as sensational trials.

Q Very well. You will admit that the propaganda conducted by the Hitlerite government connected with the so-called problem of the expansion of the life area of Germany, cultivated and expounded in the German nation militaristic tendencies.

A I deny that too, and most emphatically.

Q Do you admit that the German propaganda used provacations or method and lies and slander in order to camouflage the aggressive plans of the Hitlerite government?

A Mr. Prosecutor, to answer that question is something I am finding most difficult, after having testified to hear in this courtroom voluntarily yesterday. If I am to make the attempt to summarize very briefly, then I shall have to say this: I maintain that the German propaganda has given to the German nation in the case of every individual action which was carried out beginning with the occupation of the Rhineland and ending with the attack against the Soviet Union, a picture of the events which amongst the Germans must have created the impression that we were in the right. On the other

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hand, however, I myself -- and I emphasized when this was--had recognized that the structure of these arguments had a basis which was ruptured in many places.

Q That is to say, on the basis of slander and lies?

A No. Please, let me apologize but your way of putting it doesn't appear to be quite clear-cut enough.

Q You will persist in admitting that the German propagaganda used methods of slander and lies; do you deny this?

A Yes, yes, I deny it, based on my thorough knowledge of German propaganda and I should like you to permit me to give you a very brief explanation in this connection. Looking at it today --

Q Please, will you give an explanation only directly to my question?

A But of course, looking at it today, it was the misfortune of the German people that its propaganda, particularly with regard to its details which could be controlled, was so clean that it was completely overlooked, that in its free and most basic principles there were three mistakes. I cannot make it more clear to you.

Q About which mistakes are you speaking about?

A The first, the trust in Adolf Hitler's humanitarian point of view which was destroyed by the order to murder five million. The second, the trust in the ethical cleanliness of the system destroyed by the orders as to culture; and the third, the trust in the unreserved will for peace of Adolf Hitler shaken by everything which has been brought up in this courtroom.

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Q. Very well. We shall revert to these questions later when we speak about your personal participation in the conducting of the German propaganda. I should like to ask you now the following: Of course you were aware that in the OKW there was a special section for propaganda, which was subordinate directly to defendant Jodl?

A. That was known to me, but you are mistaken if you are under the impression that that department was under defendant Jodl. It was under the jurisdiction of General Wedel and he was succeeded by Standartenfuehrer Gunther.

Q. Very well. I shall not repeat this question any further, but I am interested in another question: What were the relations between the Ministry of Propaganda and the OKW?

A. Between the Ministry of Propaganda and the OKW, I cannot tell you, not generally, but I can give you detailed informations about the connection between the Ministry of Propaganda and this department, this Propaganda Department of the OKW which you have just mentioned. A permament representative from that department worked in the ministerial offices of Dr. Goebbels, who participated daily in the Ministry conferences which I have already mentioned once, and who was really always a member of the immediate entourage of Dr. Goebbels.

Q. Who was the one who gave the propaganda tasks and the directives to the OKW?

A. I can only imagine the situation like this: The propaganda tasks of the OKW were drawn up and coordinated to Dr. Goebbels' wishes and the instruction from the chief of the OKW, which means Keitel or Jodl.

Q. How was the general German propaganda used in connection with the propaganda measures which were put through by the OKW?

A. I don't quite understand the meaning of your question I'm afraid.

Q. How was the general German propaganda used in connection with the propaganda measures which were put into life by the OKW?

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A. Very probably it was just fitted into the propaganda measures adopted by the OKW, because Dr. Goebbels was so strong a personality that he would not have tolerated any disregard for his propagandist principles.

Q. Very well. I will ask you to reply to this question: What relations existed between the Ministry of Propaganda and the Ministry of Foreign Affairs?

A. At one time or another relations were somewhat tense, but during the latter years of the war a representative from the Foreign Ministry participated in the minister conferences of the Propaganda Ministry at all times.

Q. What part did the Ministry of Foreign Affairs play in the purrting through of the propaganda measures which especially referred to the preparation and execution of the aggresive wars?

A. May I give you this answer to your question: During every moment at the beginning of an action or a war, a representative from the Foreign Office used to appear with a completed book, a White Book. I am unaware of the origin of these White Books. At any rate, there were not prepared in the Ministry of Propaganda. In a few cases I learned afterwards, a few details about their origin, which came from the Foreign Office.

Q. Would it be correct to make the following deduction, that the Ministry of Foreign Affairs participated directly and actively in the preparation of the propaganda tasks and --

A. No doubt that is true because particularly the Foreign Minister reserved himself the decisive word with reference to propaganda which was connected with foreign policy and also with reference to any propaganda which went abroad.

Q. Did you have in mind defendant Ribbentrop when you just replied and when you spoke about his role?

A. Of course.

Q. Very well. You acknowledge and maintain that defendant Ribbentrop personally gave out the propaganda tasks and explained the attack on the Soviet Union as a preventative war?

A. That question cannot be answered with yes or no, but with a very brief description of the facts. The former Foreign Minister von Ribbentrop received, in the early morning hours of the day when the Russian campaign started, the foreign Press conrrespondents and the German Press. He put a White Book before them and he went on to explain in a speech what the situation was, and concluded in this sense, that he emphasized that for all these reasons Germany was forced to begin this attack against the Soviet Union in order to beat a Soviet attack to it, and please, will you Gentlemen of the Press present the facts in this particular manner.

Q. I should like to determine through this question that the propaganda tasks were given by defendant Ribbentrop himself, and you do admit and maintain it?

A. I beg to apologize, but I have admitted exactly what I have said, and your last question is a conclusion based on what I have said, and that I do not want to agree to.

Q. Yes. However, to my previous question you did reply and spoke about the decisive role of defendant Ribbentrop in questions of propagadna, the foreign policy propaganda; is that correct?

A. Perfectly correct.

Q. It is enough; let's skip that question. Please tell me what were the relations between the Minister of Propaganda and the so-called Ministry of the Eastern Occupied Territories? Please explain to me in this connection, how were the relations carried on between these two ministries?

A. There was a permanent liaison officer who was a member both of the Ministry for Eastern Affairs and the Ministry of Propaganda, and beyond that, there was an institution which had been founded by both ministries jointly, and was jointly administrated by them. It was the institution called "Veneta", which handled the entire propaganda in the East.

Q. Yes, I understand. In what order and who, specifically, prepared the propaganda slogans, as you called them, in Germany, which were intended for the occupied territories? Who was the one who planned and prepared them?

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A I cannot tell you under oath, because I am not so absolutely certain, but it is my assumption that they were developed, based on the well-known existing principles of general propaganda by Dr. Taubert who was mentioned, and his associates, in this institute called Veneta.

Q Very well. But apparently you are aware of the fact, and will also tell us about it, that the leading influence of the Ministry of Propaganda was being felt in all these measures.

A Quite definitely. Indubitably the Ministry of Propaganda had the superior initiative here, and the better influence.

Q That is clear. Tell me, what influence did the defendant Bormann have on German propaganda? What role did he personally play in that?

A That role was unusually great. I know that it isn't very popular when there are statements here about a man who presumably is dead. In the interests of the historic truth, however, I shall nevertheless have to tell you this.

Q We don't know yet whether Bormann is dead. We only know that he is not present on the defendants' bench, but he is, however, one of the defendants.

You can continue now.

A The influence of the defendant Bormann was unusually strong, not only in every other sphere, but also in the propaganda sector. It became apparent in the following way:

Firstly, it became apparent in the general type of party agitation which I mentioned yesterday, that of the most radical outlook. A teleprint message from Bormann to Dr. Goebbels with, shall we say, the following contents, " I hear complaints from Party circles regarding this that or the other," would always be the cause for Dr. Goebbels' entire machinery to accelerate considerably.

Secondly -- and this is something which I can't express differently under oath -- Dr. Goebbels was quite clearly scared of Martin Bormann.

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Finally, he always tried to have any actions of his which might have been misinterpreted by radical elements in the party justified in Bormann's eyes.

Q Perhaps you will tell us who else of the defendants who were not named here during my cross examination actively participated in the propaganda activities, and in what form. Perhaps you will be able to tell us something about the defendants who are present here.

A I certainly don't like to, Mr. Prosecutor, but I shall give you your answer.

Q Yes, please.

A One type of influence most beneficial for propaganda came from one of the departments under the command of the defendant Kaltenbrunner. Whether he was responsible for it in person, that I do not know, but here are the facts: During the struggle for realistic news service which I mentioned yesterday, I repeatedly came up against resistance from the Party and the Foreign Office, and I found the support of a department, the name of which I have forgotten, which belonged to the RSHA, most useful. This department used to issue reports about the general viewpoint amongst the people in Germany, and these reports were sent to various supreme authorities in the Reich.

In these, shall we say atmosphere reports, there was frequent praise for realistic news, the very thing which had been fought against by the other two sources which I have mentioned.

Q You just named the office of defendant Kaltenbrunner. Who else of the defendants could you name?

A None of the others played a part in German propaganda.

Q Defendant Hess is not present here, but did he have any influence or not?

A Most unfortunately not.

Q Why do you say "unfortunately"?

A During the period when he was still in office, he did a very beneficial task. He was, shall we say, the complaint department for all shortcomings in the Party and the State. I

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wish he could have continued.

Q Very well; we don't need to speak about it in detail. Now, let's go into the explanation of your personal participation and your personal role in the activity of German propaganda. I should like you to state exactly what relations you had with Dr. Goebbels. Yesterday you spoke about it in detail, but here I should like you to state it briefly.

A The briefest formula is this: Personally, little touch; officially, as time went by, more and more touch.

Q Yes. Did you know the name of General Fieldmarshal Schormer?

A Yes, I know the name.

Q I should like to read into the record an extract from his testimony. I am submitting this document as Exhibit USSR-472. We are going to read into this document in a minute. In order to facilitate the reading of it, the paragraph which I am going to read more is underlined in red pencil. I am going to read Paragraph No. 1 into the record. Will you please follow the text:

"Everybody was aware, including myself, that Fritsche was not only a close associate of Goebbels, but was also a favorite of his. He gained Goebbels' sympathy by frequently copying him in his political activities and quoting Goebbels in his speeches. Goebbels, in his printed and verbal speeches, referred to the conclusions and processes made by Fritsche as having the force of official declarations."

Please tell me, Defendant Fritsche, is that in accord with reality?

A May I ask you which quotation you have been reading, 1, 2, or 3?

Q I have already told you that this is Quotation No. 1.

A According to my text, the first one says:

"It was generally known, and I knew as well, that Fritsche was not only Goebbels' fellow fighter, but also his darling."

" Yes, that is quite correct. That is exactly what I

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quoted. I am asking you whether this corresponds to reality.

A I shouldn't have expressed it like that, and I think it is a question of taste.

Q Well --

A Just a moment. I shall have to say something else; I shall have to add something.

The expression "nearest fellow fighter of Goebbels" is wrong objectively seen, and " darling" --well, I don't think so.

Q Yes, very well. Let's go further.

You enjoyed the complete confidence of Goebbels and you had wide powers in the Ministry of Propaganda which were entrusted to you.

A Absolutely.

Q Very well. Thus, enjoying his confidence and having full powers, in your utterances you fully mirrored the demands of the Hitler Government which were made tasks of German propaganda, is that correct?

A Yes, to the exact extent which described yesterday.

Q Now, I should like to read into the record some extracts from your testimony of the 12th of September 1945. I am submitting this document as USSR Exhibit 474. I am going to read into the record Extract No. 1.

A May I have the document?

Q Certainly, it will be submitted to you immediately. Will you please follow after me. It is underlined in red pencil. I am reading:

"During a long time I was one of the leaders of German propaganda."

I skip a few lines and further read :

"I must say that Goebbels valued me as a sure National Socialist and a capable journalist in connection with which in the apparatus of the German propaganda I was one of his trusted people."

Is that correct ?

A Mr. Prosecutor, that is not correct. I know that I have signed this report but at the very moment when I signed this report in Moscow I stated :

"You can do what you like with that record. If you publish it then nobody in Germany will believe it and no intelligent person in other countries will because this report contains language which is not mine."

I state that not a single one of the questions contained in this report was put to me in that same form and I go on to declare that not a single one of the answers in that record was given by me in that form and I signed it for reasons which I will explain to you in detail if you want me to.

Q You therefore deny these statements ?

A No, only the signature is true.

Q All right, let us say only the signature is true.

We should remember, therefore, that this quotqtion which I just read and which you deny, says that Goebbels valued you as a National Socialist and a capable journalist and in the apparatus of German propaganda you were a trustworthy person. This is the essence of the quotation, is that right ? Do you deny this ? Just a minute please. I am going to remind you --

A Yes, general, I admit that, that I admit, this fact -- that I will admit.

Q Well, them the quotation was correct, was it not ?

A Independently, yes,

Q Then you do corroborate this statement ?

A I am talking about the record which has been put before me in its entirety.

Q In general -- now I am asking you particularly in reference to this quotation which I just read into the record. You are not going to deny it, you admit it ?

A I will not confirm your quotation but I will confirm once more the contents which you have just summarized again.

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Q The sense is not different from the actual quotation but in connection with that I should like to ask you regarding the following, or rather remind you regarding --

THE PRESIDENT : One moment. What is it you are saying, defendant ? Are you saying that you did not sign this document or that you did ?

THE WITNESS : Mr. President, I signed the document, although its contents did not correspond with my own statements.

THE PRESIDENT : Why did you do that ?

THE WITNESS : I wrote that signature after very severe solitary confinement which had lasted for several months and I wrote that signature because one of my fellow prisoners, whom I had one chance to meet, had told me that once every month a court, based merely on outside records and without interrogation, was pronouncing sentences and I hoped that in this manner I would at least achieve being sentenced and thus terminate my confinement.

So as not to be misunderstood I should like to emphasize that no type of force was used and that I was treated very humanely, even if my detention was very severe.

BY GENERAL RUDENKO :

Q Very well. Of course, you never thought, defendant Fritsche, that because of the acts you committed you would be arrested. It is obvious that you would land in a prison and a prison is always a prison. This was just an aside, however.

I should like to ask you about the following. You stated that in 1945 you signed this because of a very strict regime to which you were submitted.

When you arrived in Nurnberg were you interrogated on 3 November, 1945, here in Nurnberg ?

A Yes.

Q By General Alexandrov ?

A Yes.

Q So that is correct -- very well.

I should like to remind you of some of your answers. On 12 November, 1945, questions were put to you and you replied. Do you remember these statements ? You said :

"I was very often cross-examined and I do not know what statements and testimony are in question now."

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Thereupon, General Alexandrov submitted your testimony of 12 September and you answered him:

"I am fully aware of this document."

You were asked: "I should like you to peruse this document. Do you remember these statements?"

You said: "Of course, there is no doubt about it."

And further, you corroborated this document, which was signed by you and you said: "Of course."

Do you remember this statement which you made in Nurnberg?

A In the statement which you have quoted, all those passages are missing with reference to which I stated again and again, that the record was put before me complete and for the purpose of obtaining my signature. I had twenty or thirty alterations that I desired. Some of them were fulfilled. Those passages are lacking, wherein I said in Nurnberg that certain tendencies in my answers in that protocol were true but that none of them actually do represent my own answers.

Q I should now like to remind you of an extract from your statement of 7 January, 1946.

GENERAL RUDENKO: Your Honors, this is Exhibit 3469-PS. It is not in my book of documents as it was submitted by the defendant. I am going to quote from that document; it is a very short document.

BY GENERAL RUDENKO:

Q This is paragraph 39 of your statement.

"Once Goebbels tried to coerce me into submitting my texts for perusal. I refused this request and explained that usually I dictated a short resume of my speech immediately before my broadcast and consequently, so to say, improvise my speeches. He said it was all right but on condition that if he would wish it again, I should in the future only speak on specific, given themes." Is that right?

A Yes.

Q Does that not indicate the trust which Goebbels had for you, is that not right?

A No doubt he had a great deal of confidence in me and I did not deny it.

Q Very well. Let us proceed.

In t[illegible]

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In this very same document, which I have just mentioned to you, that is to say in your statement of 7 January, 1946, in paragraph 35 there is this sentence and it was written in your own hand, I think. It was in reply to some of the questions put by your counsel. You say:

"I was the only official organ in the ministry in the field of radio communication."

Is that right? Does that correspond to reality?

A Unfortunately I did not hear the end of your question but you have quoted the passage correctly and I have written it.

Q So, it does correspond to actual reality?

A Yes, absolutely.

Q You therefore will admit that in the apparatus of German propaganda, after Goebbels you occupied the most prominent position?

A No, my previous answer does not contain such a statement. I will admit that I had a most influential position in German radio, of which I was the head.

If you now put a new question, asking who had the second position in the entire set-up of propaganda after Dr. Goebbels, I will reply to you Dr. Dietrich, the Secretary of State, or Dr. Naumann, the --

Q Excuse me, just a minute please. I did not say the second place, I said only the most prominent position. Are you going to deny this?

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A I have no objection to your use of the word "influential", but it does not change my answer.

Q Very well, "influential position", if you like. That is still stronger. Let us proceed, however.

In the same statement of 7 January you said -- It is contained in paragraph 15 -- that the task during the entire period from 1933 to 1945 of the Section of the German Press was the supervision of the local press. Over 2,300 German newspapers were to be supervised in that fashion. Furthermore, during the execution of this task given to me by Dr. Goebbels, in accordance with instructions of the Ministry of Propaganda, I was the leader and I conducted it for the entire German Radio."

Is that correct?

A I don't know whether you have quoted the last sentences correctly, but I have certainly fully recognized the first sentences. It is my affidavit 3469-PS. That corresponds word for word with the truth.

Q Quite correct. Please tell me this: Did you organize in the section of which you were the head, the section of the German press, the Schnelldienst, the so-called speed service, which was giving provocative material to the German press?

A If you will eliminate the word "provocative" and replace it with the word "propaganda" material, then I will admit it.

Q All right. I think the Tribunal will beable to evaluate this statement. We are not going to argue about this.

Now, the last question from this group of questions: Tell me, your broadcasts on the radio, which were presented with "Hans Fritsche speaks" -- were they official and government sponsored?

A I explained this situation to you yesterday. Actually, they were a private work of my own, but the private work, publicly audible , of a Ministerialdirektor of the Ministry of Propaganda and the head of the German radio system would, of course, then be regarded as semi-official, though not fully official, and this fact I had to consider, and I did consider it.

Q All right. Now, I should like again to revert to the testimony of Ferdinand Schorner, which I have already submitted to the Tribunal as USSR 472. I should like to quote paragraph number (2). Do you find it, defendant Fritsche?

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A Yes.

Q I am going to read it into the record.

THE PRESIDENT: General Rudenko, the Tribunal would like to see the whole of this document, or at any rate would like to see the questions to which these are the answers.

GENERAL RUDENKO: Mr. President, this document has been submitted to you in full.

THE PRESIDENT: Oh, I see, you mean that what we have in English are only the parts that have been translated into English?

GENERAL RUDENKO: Yes, that is quite correct. I am going to read into the record Extract Number 2.

BY GENERAL RUDENKO:

Q "I am fully aware that Fritsche was the main collaborator of the Ministry of Propaganda and that he was extremely popular in National Socialist circles and amongst the German people. He was widely known, especially for his weekly international political commentaries. I often heard Fritsche's broadcasts in peacetime as well as during the war. His broadcasts were fanatically partial to the Fuehrer."

Do you agree with this evaluation?

A I cannot raise any objection to this quotation, but beyond that --

THE PRESIDENT: General Rudenko, is the document sworn?

GENERAL RUDENKO: This document was submitted in accordance with the processes which are in use in the Soviet Union.

THE PRESIDENT: Where was it taken?

GENERAL RUDENKO: In Moscow.

THE PRESIDENT: Was the man who made the statement, was he free or was he in prison?

GENERAL RUDENKO: He was at the time a prisoner of war.

THE PRESIDENT: Did the man who is alleged to have made the statement sign it?

GENERAL RUDENKO: Of course, it was signed by him.

THE PRESIDENT: Go on.

GENERAL RUDENKO: Thank you.

THE WITNESS: May I add that it is known to me that in the far corners of German colonies abroad, my radio speeches were, shall we say, the political comments.

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BY GENERAL RUDENKO:

Q Yes, I understand. I should like to put to you anotherdocument which I will ask you to peruse.

GENERAL RUDENKO: Your Honors, I am submitting as Exhibit USSR-471 the testimony of Hans Foss.

BY GENERAL RUDENKO:

Q Do you know this name, Vice Admiral Hans Foss?

A I know the name, but as far as I remember, not the man.

DR. FRITZ: (Counsel for defendant Fritsche) I apologize, Mr. President. Perhaps not too much should be attached to the Schorner record, but at any rate I am unable to ascertain from the document the place where it was taken.

THE PRESIDENT: General Rudenko says that it was taken at Moscow.

DR. FRITZ: But the record, the protocol itself does not show that, and then I have also noticed that the photostatic copy which I have here does not show the signature. It just says "signed". Later on in the right margin a handwritten signature has been affixed, but I do not know whether this is the common procedure there or what.

THE PRESIDENT: You can see the original and compare it.

BY GENERAL RUDENKO:

Q I am speaking about the document which is a written declaration by Hans Foss. Please look at the extract number 1, which is underlined:

"Being wholly faithful to Hitler and the National Socialist Party, Fritsche extended priceless services in spreading National Socialism throughout Germany."

Is that in accordance with reality?

A Well, at least I will not object.

Q In other words, you are in accord with it?

A As I told you, I do not object, but I do not want to say by that that I concur.

Q On the other hand, you do not deny this?

A No, I say for the third time that I do not raise any objection.

Q Very well. I understand. Let us proceed further. I should like to question you regarding your attitude toward the racial theory. Yesterday you explained in detail in this connection to your Defense Counsel, and I

am going to put to you only two or three questions, and I should like you to reply briefly.

Did you share this racial theory?

A Yes, and precisely to the extent which I described to you yesterday.

Q All right. In a radio broadcast on 8 February 1940 there was an utterance concerning Poland. This document is USSR Exhibit 496. I am not going to read this whole document into the record because I do not want to propagandize the views contained in it, but I should like you to peruse the document, and I should like to ask you to peruse Extract Number 1, which is contained in this document, and it is underlined in red pencil. This refers to your evaluation of the Polish nation. I should like to simply ask you if that is your own statement.

A It is impossible for me to recognize a radio speech of mine when I see an extract of only 20 lines, considering that I have spoken about 1,000 times, as I said yesterday. In that case, you will have to let me have the speech as such so that I can recognize the thoughts which I was talking about at the time.

Q Did you examine this extract from the document? You have a complete photostat of the document before you. This is a full text of your utterance which took place on 6 February 1940 at 1845 on Radio Station Danzig Sender.

A General, we have twenty lines before us here. They begin with the words, "Considerable effort was necessary to --"

Q That is the document to which I am referring. I am asking you if that is your speech.

A It is quite possible, but if you give me only twenty lines of that speech, then I can only confirm to you this: At the time I had seen the official German documents dealing with the atrocities committed against Germans in Poland, and with great disgust, I talked about that on the radio, talked about what I saw in those documents.

THE PRESIDENT: Shall we adjourn now?

DR. [illegible] (Counsel for defendant Rosenberg): I ask you to grant leave for defendant Rosenberg to be absent from the Court this afternoon because I have an important conference to hold with him.

THE PRESIDENT: Yes.

(A recess was taken until 1400 hours)

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AFTERNOON SESSION

(The Tribunal reconvened at 1400 hours, 28 June 1946)

HANS FRITSCHE -- Resumed

CROSS-EXAMINATION -- Continued

BY GENERAL RUDENKO :

Q Defendant Fritsche, extracts from your speech dated 7 July 1941 will be handed to you. They concern the opposition which the German Fascist troops encountered whilst entering upon Soviet territory. This document has already been submitted by the defense.

Will you look at point 7, the last paragraph ? I do not intend to read it.

A Yes, I have found the passage.

Q Very well. Do you admit that you used those expressions ?

A Yes, I admit that. I should like to emphasize, whithout quoting, the context with which this statement was made.

Q Very well. I would like to ask you this. When, in your speeches, you call Polish and Russian peoples "under-people", when you insult them, don't you consider that these are expressions of mankind-hating theories ?

A Mr. Prosecutor, I should like to assert that I never accused the Russian people or the Polish people of being inferior.

Q Very well. I do not intend to argue about it, for the documents speak for themselves.

I would now like to turn anew to the statement of Hans Voss. This is document USSR Exhibit 471. Will you pay attention to excerpt number 2 ? It is underlined. It is just a short excerpt, and I will read it :

"Fritsche cleverly influenced the spirits of the Germans persuading them that they, the Germans, were a superior race and therefore must rule other peoples like their slaves."

Does that correspond to the facts ?

A No, it does not agree with the truth; rather, it contradicts the truth on all points.

Q Let's say it contradicts your assertions.

Very well, I will put another question to you.

Do you know the name Lieutenant General Reiner Stahel, who was the former commandant of the town of Warsaw ?

A No, I am not familiar with that name.

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Q Very well. You will be handed a document -- Mr. President, this is document USSR-473, and it is the testimony of Reiner Stahel, dated 19 September 1941. I will only read the first excerpt :

"Goebbels and Fritsche took every measure so that the racial theory should be rendered popular amongst the Germans, and to persuade them that the Germans are a superior race, and other peoples, as inferior races, must be subordinated to the German Master Race.

"In order to convince the Germans of this and to compel them to believe in this theory, the Ministry of Propaganda, led by Goebbels and Fritsche, published -- before the war and during the war -- a large number of films, books, papers and other literature in which the authors attempted to prove the superiority of the Germans over other nations.

"One must say that as a result of the activity of Goebbels and Fritsche the racial theory held a rather firm place in the conscience of a large part of the German people. This contributed to the fact that during the war the German soldiers and officers, having assimilated the instructions of the leaders of German propaganda, committed crimes against civilian populations."

Tell me, did Reiner Stahel adequately describe the part played by you in the propagation of racial theory ?

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A. No, I should like to add that the niveau of this statement is much lower than that of the other statements submitted to me. I should like to set forth the fact that of those whose testimony has been set down in this form, only one could be present in person here, so that he could present some of the data and proof upon which he based his statement.

Q. I believe that during the six months that the trial has lasted, you have heard enough testimony. We will continue.

A. No. I shall have to make this observation. I have not been confronted with any testimony of witnesses dealing with those matter with which we are dealing now.

Q. You, I hope, remember the testimony of the witness Hoess regarding the extermination of millions of persons.

A. (No response).

Q. I say that I hope you remember the testimony of Hoess, the commander of the concentration camp in Auschwitz concerning the extermination of millions of people.

A. I did not forget this testimony, and not for a minute did it leave or escape my memory.

Q. Very well. I do not intent questioning you on this matter. I am passing on to questions connected with the propaganda regarding the preparation for agressive war by Hitlerite Germany. In order to shorten the cross-examination, I shall quote a few of your own statemtns dated 12th of September 1945, which have already been submitted to the Tribunal as USSR Exhibit 474. Please look at the second excerpt. It is underlined.

A. I object to the reading of this quotation, as well as I objected to the submission of the entire minutes as set down. In this case, I base my objection on the testimony that I gave dealing with the origin of this record.

Q. You already gave an explanation to the Tribunal, and the Tribunal will consider your explanation. This document is submitted, and I intend quoting part of the testimony. Please follow me.

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"Excerpt No.2: In order to justify the facts of the aggression, Goebbels gave instructions to conduct a hostile campaign against Austria, particularly the instructions to find old material in the archives, and wanted to publish them in the press. Goebbels stressed that the document published must first of all prove that the Austrian people wish to unite to unite themselves with the German nation, and that the Aistrians adhering to these ideas were persecuted by the Austrian Government. Furthermore, Goebbels said that the German press must show that the Germans living in Austria were being systematically persecuted by the Austrian Government, which is carrying out mass reprisals against them.

"Later, during the occupation of Czechoslovakia, Denmark Poland, Belgium, Holland, Norway and the Balkan countries I, following the instructions of Goebbels, organized--"

THE PRESIDENT: General Rudenko, surely it would be better to ask him with reference to one of these paragraph whether he said that, rather than to put to him the whole document at once.

GENERAL RUDENKO: Mr. President, I have only one paragraph left, and I intended reading it and then putting a question to him.

THE PRESIDENT: I am not objecting to that. I am only suggesting that it would be better if you put to him each paragraph in full, and not put three or four paragraphs all in one question.

GENERAL RUDENKO: Very well, Mr. President; I will do so.

BY GENERAL RUDENKO:

Q. I ask you, defendant Fritsche, do you admit the excerpt read by me concerning the Anschluss?

A. No. And I must emphasize the fact that my testimony in that extract contains those parts which the interrogating Russian officer added concerning my testimony. The formulation was submitted to me when it was not quite completed, so that I could affix my signature to it.

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THE PRESIDENT: What do you deny in it? Take the first paragraph.

THE WITNESS: Mr. President, I am protesting against everything, specifically the expressions used here. Those were not expressions which I would have ever used. In my interrogations at Moscow, I stated exactly the same thing as I stated here in this Court Room yesterday, the day before, and the day before that, or anything which I may have set down in my affidavit.

THE PRESIDENT: Take the first paragraph. The first paragraph has just been read to you -- "In order to justify the facts of the aggression..." Were you asked any question about that, and did you make any answer?

THE WITNESS: Yes, indeed. In interrogations which were held frequently and held late at night, I was asked concerning these question, and I answered as follows the part here which was summarized in this question as put down in this paragraph:

At this moment I do not recall the date, but at the moment of the Austrian action I was summoned to Dr. Goebbels. Dr. Goebbels told me that the Austrian government of Schuschnigg had plans of such and such a nature, which plans have been described at length here, and that a government crisis was taking place. He told me further that Seyss-Inquart had taken over the government, that a call for help had come from Austria, and he told me also that the march would take place immediately.

THE PRESIDENT: Are you now telling us what you told the Russian interrogator, or are you telling us what actually happened in Germany at the time of the Anschluss?

THE WITNESS: I am telling those things which I told the interrogating Russian officer, and those are the things exactly as they took place in the propaganda ministry on the day in question.

THE PRESIDENT: You are saying, then, that this first paragraph is entirely made up, are you?

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A. No; I would not wish to use the word "invented" or "made up", but I would rather say -- and I beg your permission to do so -- which parts or which elements are actually correct as set down in this paragraph. First of all, there is the point that there was a hostile campaign against Schuschnigg, and this campaign actually was explained in the German press at the moment of his resignation, or just before his resignation.

I cannot, however, tell you that point just at the moment.

Furthermore, it is correst as it is set down in the paragraph that the persecution of people who were sent to Germany under the SSchuschnigg regime was to be pictured as single cases.

These are the factors that are correct, and apply.

BY GENERAL RUDENKO:

Q. This means that you have now corroborated what I have just read.

A. No, no, Mr. Prosecutor. There is an essential difference.

Q. I understand, from your point of view. But I believe that you will not deny the fact that you conducted propaganda directed against the Austrian government. This is the main sense of this question.

A. That I have to deny as well, and object to as well. This propaganda was not conducted by me, but rather by my predecessor, as I said, of the propaganda division of the German press.

Q. Do I understand correctly that you deny your personal participation in the propaganda, but do not deny the fact of the propaganda?

A. You did not understand me correctly if, by the term "propaganda" in this case, you mean enumerating of those measures used by the Schuschnigg government against the Germans.

Q. Very well. I should like to read another paragraph of your testimony which says:

"During the occupation by Germany of Czechoslovakia, Belgium, Denmark, Poland, Norway, and the Balkan countries, following the instructions of Goebbels, I organized a similar campaign of pro-

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paganda. In every case I selected those documents from the archives which compromised the governments of these countries and added to the stature of Germany, and attempted in this way to justify this or that action on the part of Germany".

Do you also deny this?

A. Yes, in that from I deny that as well.

Q. But you will not deny also that propaganda was conducted against all the countries enumerated in your testimony?

A. No, no. I would deny the last sentence that you added. I admit the fact of the propaganda. However, in the individual actions, I described my participation in detail in 3469-PS.

Q. Very well; I understand. I do not intend questioning you further, as this has been quite adequately explained in your statement dated January 1946, Document 3469-PS, and which, in fact, do not contradict the actual facts. Is that ture?

A. I see an essential contradiction there. But this affidavit, 3469-PS, is completely accurate and true.

Q I would like as a supplement to this, read the testimony of Ferdinand Schorner which is document USSR Exhibit 472 and which has already been submitted to the Tribunal; I mean Extract No.3. He says in this statement, and I read : "The political activity of Fritsche in his function or radio commentator of the State, was subordinated to the main task of National Socialism to begin a world war against democratic countries and to contribute to the victory of German arms in every way. The principal method of Fritsche which he utilized during many years of his activity, as I later understood, was the conscious cheating of the German people. I speak of that because, during the last years we soldiers felt that very sharply because contrary to the statements of Fritsche, we knew the actual forces on the front and also new the situation. The main guilt of such people as Fritsche is that they did know the actual state of things but after understanding this, basing this on the criminal intentions of the Hitlerite government, they consciously lied to the people or 'threw sand into their yes' to use a German expression." Does this characterization of German propaganda correspond to the truth, defendant Fritsche ?

A That is complete nonsense and quite by accident I can prove a part of this statement. Mr. Schorner says that the activity of the war commentator, Dr. Dittmar, consisted in the starting of aggressive wars. General Dittmar spoke over the radio for the first time in the winter of 1943 and that is one point I should like to make. The second point I should like to make is the fact that I have never seen Mr. Schorner. I do not know him and I have never spoken to him and I should be very much surprised if he could be in a position to judge whether I deliberately or not deliberately at any tine ever said anything that was not true but -- and this is the thing I have to add -- in the last few days of Berlin, I indirectly, through State Secretary, Dr.Naumann, received a report from General Fieldmarshal Schorner and I was instructed to use this report, to make use of it. It was this report that he was in Bohemia with an army which was intact and if he wanted to, for an unlimited period of time, he could hold this territory and he wanted us to have courage in Berlin, that he could even come to our aid. I don't know whether this statement actually was uttered by Schorner but I think it would pay to call General Fieldmarshal Schorner as a witness in this Court in order to ask him what the data and the basis of his judgment was.

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Q The fact that you do not know Ferdinand Schorner is not a sufficient contradiction of this testimony, for you have yourself stated before this Tribunal that very many people knew you as an official representative of the government but, of course, you could not know everybody; is that right ?

A If you will permit me, Mr. Prosecutor, I should like to call your attention to something which is illogical. Anyone who didn't know me can very well judge about those things that I said but he is not in a position to judge about those things, whether I made those statements in good faith or in bad faith. I am sure that you can differentiate between these two positions yourself.

Q Of course, you speak of your personal participation but you do not deny the criminal character of German propaganda.

A Cannot answer yes to the question in the way that you put it. Mr. Prosecutor, this morning I gave you a basis for questions which may be put to me about those things in which I assisted for historical presentation -- when I tried to show where pure idealism was concerned and where there were wrong prerequisites; these things are now being confused.

Q I am not putting questions on the basis which you gave me but upon the basis of documents which are at our disposal. I would like to ask you : Did you have documents concerning operation Gruen in Czechoslovakia; documents concerning the aggression against Poland, the aggression against Yugoslavia, and propaganda conducted in this respect ?

A The data for the Case "Gruen" those are heard for the first time here but since, again, you are now trying to tie these measures in with propaganda measures, it is very hard for me to keep both of these matters separate. Perhaps it will serve your purpose if I answer -- Neither in the case of Czechoslovakia nor in the case of Poland nor in any other case, did I know in advance about German attacks. I knew no more than an hour or two hours before the time they were announced to the German public.

Q Did you say an hour or one hour and a half ?

A I do not wish to tie myself down to an hour or an hour and a half but I do recall that in the case of Russia, I had advance knowledge through Dr. Goebbels five or six hours in advance.

Q Very well. You will be handed document USSR Exhibit 493. It is your radio speech connected with the aggression against Poland. This speech was

made on the 29th. of August. I was directed already beforehand to the explanation of the reasons for the German attack on Poland and is dated the 29th of August. I do not intend reading it but the sense of this speech is that on the 29th of August you spoke of a series of unforeseen events which was imminent. Have you acquainted yourself with this document ?

A Yes, indeed.

Q You do not deny that on the 29th of August 1939, you made this speech

A No, that I don't deny. I should like to refer only to the fact ---

Q Please answer my questions first and give your explanations later. This was on the 29th of August and you do not deny it.

A No.

Q Well, then, I ask you, did you personally believe in these explanations of imminent war with Poland, of the impossibility to prevent this war with Poland; did you believe this personally then ?

A Whether at that moment I considered the war to be unavoidable, that I am not in a position to tell you but I am able to tell you one thing. I did not believe that this was the case of German Guilt. If, in this period of tension, if a war-like conflict would result -- Please, Mr. Prosecutor, I should like to add this.

THE PRESIDENT : General Rudenko, letthe man answer.

THE WITNESS : At that time, it was a matter of great satisfaction to me that in the weeks that followed, in the Soviet press I could determine and find out that Soviet Russia and her government shared the opinion of war guilt, in the opinion of the German government.

BY GENERAL RUDENKO :

Q I believe that you should not say that now and I did not ask you in that sense. We will pass on to another question. On the 9th of April 1940, you made a speech concerning the reasons for a possible occupation of Norway. You will now be handed an extract from this speech.

GENERAL RUDENKO : Mr. President, this is document No.496.

BY GENERAL RUDENKO :

Q You have that document, defendant Fritsche. It is excerpt No.4.

A No, I don't have it before me.

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A. (Continued) Yes, I have found it. It is page 4.

Q. Very well. I will read a short excerpt: "The fact that the German soldiers had to carry out their duty because the English broke Norwegian neutrality did not end in warlike but in peaceful action. No one was injured, not a single house was destroyed; life and daily work continued." This was a lie. Do you admit it or will you deny it?

A. No, that was not a lie, for I had just been in Norway and I had seen these things. Here everything will be quite obvious and clear if your will permit me to read the next sentence, which reads as follows -- the next sentence reads as follows --

Q. Defendant Fritsche, wait a minute --

THE PRESIDENT: General Rudenko, you must let the man explain. He wants to read the next sentence in order to explain this sentence.

GENERAL RUDENKO: Well, all right then.

BY GENERAL RUDENKO:

Q. Please read it.

A. The next sentence reads as follows: "Even there, and when Norwegian troops gave resistance, instigated by the misled former Norwegian government," and so forth, "the civilian population was hardly touched thereby for the Norwegians fought outside the cities and villages," and so forth.

Q. Very well. Now I will show you a document which is an official report of the Norwegian government, which has already been submitted to the Tribunal by the French prosecution as RF Exhibit 72.

GENERAL RUDENKO: Mr. President, in the Document Book this document is wrongly numbered USSR Exhibit 78. It is Document PS 1800 and is submitted by the French prosecution as RF Exhibit 72.

BY GENERAL RUDENKO:

Q. Listen, Defendant Fritsche, how correctly you described the situation in Norway; this is how the Norwegian government writes. I quote: "The German attack on Norway on the9th of April, 1940, brought war to Norway for the first time in 126 years. For two months the war was carried on throughout the country, causing destruction to the of 250,000,000 kronen. Further,

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more than 40,000 houses were damaged or destroyed and civilians were killed." And that is what the situation actually was like. Do you admit that your speech on the 22nd of April, 1940, was the usual lies?

A. No, I do not admit that, but I am asserting, on the contrary, that you, Mr. Prosecutor, in submitting this extract, are not taking into consideration the fact that I, in my introduction, reported to the effect that I wanted to describe those things that I had seen myself, namely, a journey into the Goldbrauns Valley -- a journey, as I am just recalling, that went almost up to Atta. It is not contrary to the presentation I made if, according to the conclusions drawn by the Norwegian government, on the whole, in this action this loss and damage actually did occur.

Q. I believe that the Norwegian people and the Norwegian government has sufficiently experienced the weight of the German occupation and the government report actually states facts and not the sort of facts which you stated in your propaganda. This document is being submitted to the Tribunal and they will appreciate it. I have a few questions to put to you in connection with a fact which has already been dealt with in detail here. It is the case "Athenia". I will not question you in detail on this matter as it has already been ascertained with sufficient accuracy, but will you admit now that special propaganda slanderingly and falsely informed the public opinion of the "Athenia' case?

A. Whether this was done by the Fascist propaganda in Italy, that I don't know. The National Socialist propaganda, however, did do it and they did it in good faith, as I have described at length.

Q. I say that now facts have been ascertained here. Do you agree that this speech was a slanderous speech or do you still deny it?

A. No, I have already admitted that and I showed, in detail, how these statements were made.

Q. Very well. I am only interested in this matter as to the personal part you played in it. Why did you so actively deal with this matter and why were you the first man to spread this slander?

A. I do not believe that I brought this matter before the public and was the first one to do so. However, the fact was and is that I spoke very frequently about the case of the "Athenia".

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and I spoke on the basis of official reports which I believed completely. I spoke about this case because I just happened to be the one who, at the beginning of the war, spoke over the radio in the evenings.

Q Do you mean to assert that the first report on the "Athonia" appeared in the "Voelkischer Beobachter" in October, 1939?

A I never claimed that.

Q Very well. Then I will remind you that you dealt with the "Athonia" as early as September, 1939; is that right?

A Yes, of course, of course.

Q And you spoke of it before the report was published in the "Voelkischer Beobachter"?

A Many weeks before that, yes.

Q Therefore, you were the first to spread these slanderous assertions?

A No, I cannot affirm that, but on the other hand --

Q Very well. I will only put one other question to you. Will you not deny that in 1940 you still spread this propaganda? I will repeat the question. I ask you, you will not deny that even in 1940 you continued to propagate this version?

A It is the peculiarity of every form of propaganda that it likes to repeat good and effective things frequently and for a long period of time. I have stated already that only in December of 1945, here in the prison, I heard from Grand Admiral Raeder that it actually was a German U-Boat that had sunk the "Athenia".

Q Very well. I will pass on to a group of questions regarding your participation in the carrying out of propaganda connected with the preparation of aggression against the Soviet Union. You assert that you had no knowledge of the preparation of aggression against the Soviet Union until at 5:00 o'clock on the morning of the 22nd of June, 1941 -- that is to say, when the German troops had already entered Soviet territory -- you were called by Ribbentrop to the Ministry of Foreign Affairs

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to a Press conference. Did I correctly understand your testimony?

A No. Several hours before that, that is on the evening of the preceding day, Dr. Goebbels had called some of the division chiefs of the Ministry to his house at Wannsee, and on that occasion told them about this fact and prohibited them from leaving and from telephoning. That was the first actual knowledge that I had of this fact.

Q Very well. But you claim that you had knowledge of the aims of Germany with regard to the Soviet Union in 1942, according to your own observations; is that right?

A I do not exactly know what you mean by that. I testified this morning, and tried to clarify the point, that a doubt as to the validity of the reasons given by official German sources did not come to me until I was a prisoner. That is a thing that I set forth very clearly this morning. In interrogations carried on in Moscow as well, I emphasized the fact that after the war against the Soviet Union had broken out --in 1942 or it might even have been in 1941 -- I observed that for quite a period of time preceding the 22nd of June preparations of all kinds, of necessity, would have had to have been taken.

Q I will recall to your memory an excerpt from your speech, a document which you confirm in full. It is No. 3469 PS. In Paragraph 42 we read: " The Beginning of 1942 I was a soldier on the Eastern front. I saw that large preparations had been made beforehand for the occupation and administration of territories extending as far as the Crimea."

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"On the basis of my personal observations, I came to the conclusion that the plans regarding war against the Soviet Union had been prepared a long time before the actual outbreak of the war."

Is this statement right?

A Yes, indeed.

Q Well, then, I have no further questions to put to you regarding this matter.

I would like to recall to your memory two further documents connected with the carrying out of propaganda, in view of the preparation of war and actual attack against the Soviet Union. I am referring to the minutes of a conference held by Hitler dated the 16th of July 1941.

GENERAL RUDENKO: This document, Mr. President, is No. L-221 and has already been submitted.

Q (Continuing): This document will be handed to you and I will quote two paragraphs on the first page.

" Now, it is essential that we do not publicize our aims before the world. There is actually no need for that. But by no means should we render our task more difficult by making superfluous declarations. Similar declarations are superfluous because we can do everything wherever we have power, and what is beyond our power we will not be able to do anyway.

"Further, what we tell the world about our motives ought to be conditioned by tactical reasons. We must act here in exactly the same way as we did in the case of Norway, Denmark, Holland, and Belgium. In these cases, too, we did not publish our aims and we will be as sensible in the future and will continue in the same way."

Did you have any knowledge of similar ideas of Hitler?

A No, I did not know of any such directive, but the fact that such statements and directives were submitted in this courtroom was the reason, as I have said, that I considered some of the premises and some of the bases of our propaganda to be shaken.

Q Very well. You did, therefore, not have any knowledge either of the instructions regarding the carrying out of propaganda in the case Barbarossa issued by the OKW and signed by the defendant Jodl?

A I cannot say that without seeing these documents, but the case

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Barbarossa as such was not a concept until I arrived here.

GENERAL RUDENKO: Mr. President, this document is No. C-26 and has already been submitted to the Tribunal. I will deal with it only in connection with the matter of propaganda. It is 477 in your document book, Mr. President, C-26.

BY GENERAL RUDENKO:

Q I will quote one excerpt, Defendant. These instructions say:

"For the moment one should not carry out propaganda directed towards the dismemberment of the Soviet Union. In various parts of the Soviet Union, propaganda must use the language which is the most current. This does not mean that some propaganda text should be interpreted as an intention of dismembering the Soviet Union."

Were you acquainted with these directives?

A I knew neither the document nor the contents of the directive which you have just read.

Q Yes, but I hope that you will not deny that this was the spirit in which the propaganda was carried out.

A No. As far as I could observe, the propaganda which was carried on in the Soviet Union had just the reverse tendency. It tried to educate the various nationalities for independence, such as the Ukraine, White Russia, the Baltics, and so forth.

Q Very well. I would like to ask you now: When did you meet Defendant Rosenberg for the first time, and when did you get information concerning the tasks of German propaganda in the East?

A I doubt whether before this trial I ever spoke with Mr. Rosenberg, but I do believe that I have met him socially. However, I never had an official conversation with him in my entire life.

Q Very well. You will be handed Document No. 1039-PS. This is a report of Rosenberg regarding the preparatory work concerning matters connected with the territory of Eastern Europe. This document has already been submitted to defendant Rosenberg and he did not deny it but confirmed it.

I would like you to turn to the second quotation which is marked. In order to shorten this cross examination, I will not read the first quotation. In this report, we read:

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"Aside from these negotiations, I received the responsible deputies of the entire propaganda, namely Ministerial Director Fritsche, Ambassador Schmidt, Reich Superintendent of Broadcasting Glasmeier, Dr. Grothe OKW, and others. Without going into details of political objectives, I instructed the above-named persons in confidence about the necessary attitude, with the request to tone down the whole

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terminology of the press, without issuing any statements.

"The works for substantial coverage of the Eastern question prepared long ago appeared in my office, which I turned over to the propaganda deputies".

Did Defendant Rosenberg correctly describe those events which occurred in 1941, before the attack against the Soviet Union?

A No. I do not recall having been received by Rosenberg at any time. In no case did I ever receive from Rosenberg or from one of his co-workers a report before the 22nd of June about the planned attack on the Soviet Union.

On the other hand, and this perhaps may clarify matters, I do recall that a co-worker of Rosenberg's frequently appeared before me or my co-workers, and in time I will recall his name too. The leader of his press group before that was Major Kranz. This man appeared before me and my co-workers frequently and transmitted the wishes of Rosenberg pertaining to press propaganda. But in no case did we deal with this question before the 22nd of June.

Q This means that what Rosenberg writes in his report, as far as you are concerned, is not correct?

A Untrue would be putting it too strongly in this case. It may be that this entire bit of informing which he talks about may refer to a later period of time. I am not judge of that for I did not read the entire document. It may apply as well that Rosenberg, in this report, wasn't exactly accurate when he dealt with the receiving of the responsible members of propaganda.

Q Very well. In connection with this, I would like to put two questions to you. First of all, I would like to refer to the written testimony of Hans Voss, whichis Document 471, and you are inpossession of it. It is excerpt No. 3 of Document USSR-471. Have you found it?

A Yes, I have found it.

Q I quote: This is what Hans Voss testified:

"After the defeat of the German troops at Stalingrad, and withthe beginning of the general Soviet offensive on the Eastern Front, Goebbels and Fritsche took great pains to organize German propaganda in such a manner as to effectively aid Hitler in rectifying the position at the front. This propaganda was based on the hope that the Germans would be able to hold their

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own as long as possible. The Germans were intimidated about the stories of the Russian soldiers.

"With this aim inmind, libelous statements were spread of the alleged brutalities of the Russian soldiers and the aim of the Soviet Union to annihilate the German nation.

"In the last stages of the war, Goebbels and Fritsche made onelast attempt to serve Hitler and to organize resistance to Soviet troops."

Is this correct?

A It is not only not correct; but it is nonsense.

Q But you referred to it in many cases. All right, I do not intend to enter into polemics with you.

I would like you to refer to your testimony of September 1945. It is the third excerpt of the document. Have you found that part? I will quote your explanations.

A The entire thing is not my statements. Perhaps you can tell me which passage you are referring to , Mr. Prosecutor.

Q I mean Excerpt No. 3, which begins with the words, "The military aggression against the Soviet Union..."

A Yes, I have found the spot.

Q "The military attack upon the Soviet Union in connection with the treaties signed was prepared by Germany in secret. Therefore, during the period of preparation of war against the Soviet Union, no propaganda was carried out. In this respect, an active anti-Soviet campaign by the organs of German propaganda was only started after the beginning of warfare on the Eastern Front. In this case, one must point out that the main task put by Goebbels before the entire propaganda machinery was to justify the expansionist policy of Germany against the Soviet Union.

"As leader of the German press and radio, I organized the vast scale campaign of anti-Soviet propaganda, attempting to convince public opinion tha the Soviet Union and not Germany was responsible for this war. I must, however, state that there was absolutely no justification for accusing the Soviet Union of preparing military aggression against Germany.

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In my radio comments, I attempted in every way to put the fear into the peoples of Europe and the population of Germany of the horrors of Bolshevism, and asserted that only Fascist Germany was the single barrier of the European countries against either American plutocracy and Red imperialism."

Do you admit this?

A Herein are contained some actual statements made by me, but they have been worked over, and if I am permitted I should like to give you the various facts, point by point. I shall be brief.

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It is correct to say that I stated in Moscow that the war against the Soviet Union had not had any preparation as to propaganda for after all this war came very suddenly and as a surprise. Furthermore, it is correct to say that after the attack on the Soviet Union, it was the main task of German propaganda to justify the necessity of this attack, and therefore to emphasize again and again that we had only gotten ahead of a Soviet attack on us. Further, it is correct to say and I did say that the next task assigned to propaganda was and is almost the same thing, to show that not Germany but Russia was guilty of this war.

Regretfully it isomitted in this document and the most important argument is omitted, that I and with me millions of Germans believed the official communiques given out by the German government and we believed them for it seemed to usnonsensical and crazy if during a war which ahd not been decided in the west, arbitrarily and voluntarily, we would have risked going into another war in the east at the same time.

And I continue, it is further correct that the proof which was issued by the "White Book" given out by the Foreign Office was rather meager and it is further correct to say that German propaganda tried to intimimidate Europe because of bolshevism and make them afraid of it. It is further correct that the German propaganda again and again emphasized the fact that Germany was the only bulwark against the Soviet world revolution.

Q Very well. I would now like to draw your attention to excerpt number four of the same document which is in your possession, in connection with propaganda upholding the spirit of resistance in the German people, notwithstanding all evidence of apparent defeat of Germany. I would like to read this very short excerpt from the same document number 474.

"Beginning with 1943 through German radio propaganda I attempted to assert that Germany was in possession of such weapons through which your aims would be crushed. For this I used invented data regarding the work ofthe German war industry which had been given me by the Reich Minister for Armaments and Munitions, Speer."

A One part is wrong and the part that is correct has been wrongly stated.

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To begin with the latter part, it is correct that I received figures from the armament industry which gave me great hopes forprogress. I received, for instance, figures dealing with monthly aircraft production, figures dealing with new and especially effective fighter planes. In the meantime, through direct questioning of Speer himself, I determined that the figures which I received at that time were quite correct at the time and that the airplanes either were used illogically or wrongly, as for instance in the Ardennes offensive, instead of for the protection of Germany herself, the home country, or that they could not actually be used because of a fuel shortage. The first half --

Q Defendant Fritsche, you are going into too much detail and that is really not relevant.

I would like to submit to you testimony of Speer, who was interrogated by the Soviet Prosecutor here in November on 14 November, 1945. This is document USSR 492. I would like to read into the record only that part of the document which deals with the carrying out of propaganda during precisely this period. I quote:

"In September 1944, I wrote a letter to Dr. Goebbels. In this letter I warned Goebbels that he was carrying out propaganda which was not correct regarding new armaments and that in this way he would provoke vain hopes amongst the German people. This was propaganda which would have been carried out by Dr. Goebbels in order to inspire in the German people hope in a favorable outcome of the war."

Is that correct?

A Only partially. Correct is the fact that Dr. Goebbels more than a year before the use of the first "V" weapons himself conducted propaganda in its behalf. On the other hand, Speer in the meantime had stated, during his testimony here before this Court, and has said himself, that he knew and now knows the actual source of propaganda dealing with "miracle weapons" propaganda which he himself initiated.

Q Now, I would like to remind you of your personal part in this propaganda wherein you mentioned that with the popularization of a new weapon you hoped to inspire the German people with the hope of a successful resistance.

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I will submit to you document USSR 469. You already have it. It is your radio speech of the 1st of July, 1943.

THE PRESIDENT: General, are you going to finish very soon or should we adjourn now?

GENERAL RUDENKO: I believe we should adjourn now because I will still need about a half hour.

(A recess was taken)

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Q Well, I submit to you Excerpt Number 6 from document USSR 496. This is your speech, dated 1 July 1944. I am going to read it into the record:

"We Germans have been very reserved in our reports on the effect of the new weapon. We could afford this reserve, knowing that sometime or other Britain would break the silence with which she tried at first to gloss over the effect of V-1. We were right about it. Reports from Britain during the last few days, and especially today, prove that the effects of this first of the new armed blows against here are becoming all too obvious. It is beside the point for the British now to complain about a wave of hatred which is supposed to surge from Germany against the British Isles. In the fifth year of the war, it is useless to talk about feelings although much might be said about them."

Do you admit, defendant Fritsche, that by means of such propaganda you told falsehoods to the German nation and incited it to a senseless resistance?

A To the contrary, I spoke in this case much more reservedly and much more modestly than , for instance, the German press used to do, when I talked about the outcome of the V-1.

Apart from this, the following sentence follows your quotation:

"We can only repeat that the V-1 is the weapon for us with which we can break the enemy terror."

Q Very well. Now I should like to remind you, defendant Fritsche of your testimony of 12 September 1945 with regard to the activity of the organization "Wehrwolf". This document is also Exhibit USSR 474, quotation number 5. Have you found the place?

A Yes, I have found it.

Q I am going to read it:

"At the end of February 1945 State Secretary of the Ministry of Propaganda, Dr. Naumann, submitted to me instructions by Goebbels to work out a plan for the organization of a secret

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radio service. Furthermore, Naumann explained that the German government had taken the decision regarding the members of the National Socialist Party and making them illegal and arranging for the organization which is called 'Wehrwolf'. As Naumann stated, such a radio center will have to direct all the underground organizations of the 'Wehrwolf'."

As will be seen from some of your speeches, you were against the organization of such a radio center, such as " Wehrwolf". However, it was created, and the direction of the broadcasts was entrusted to the former leader of the Reich Ministry of Propaganda, Schlesinger. Is that correct?

A No. Two things have got mixed up here. Firstly, the plan described in the paragraph which you have read for the creation of a Wehrwolf broadcasting station was a plan for a mobile station, and that mobile station was not built. On the other hand, there was--incidentally, during my absence--on 1 April 1945, by direct order from Dr. Goebbels, the so-called "Old German Broadcasting Station ", which was opened as a Wehrwolf station.

Q Very well. I should like to submit to you your own statements on that subject. I should like to submit to you your own utterances on the radio on 7 April 1945. This is the same document, USSR-493, Excerpt Number 7. Have you found the place?

A Yes.

Q You said at the time, in the radio broadcast:

"However, as a result of the superiority of men and material reserves, the enemy has now penetrated deep into German territory, and at this moment he is about to carry out his program of extermination against us."

I skip a few lines:

"Let no one be surprised if this desire of strong hearts to revenge wicked human rights needs not even a short pause for temporary recovery but that it flares up at once and directly with a surging flame and even becomes active. Let no one be surprised if here and there in newly occupied areas, civilians

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take part in the fight or even if after the occupation has been carried out, the fight is continued by people in mufti. That is to say, without preparation, without organization, there has come into being, sprung from the very instinct to live, the phenomenon which today we call the 'Wehrwolf'."

What will you tell us about that?

A Although this quotation has been torn from its context, and although the passage is missing, when I was talking about the right and said that right is a sensitive affair, based upon tradition and ethical knowledge--

Q Excuse me if I interrupt you, defendant. I do not want to ask you to explain in such detail. I just wanted to determine one fact, and that is that you did not speak against it but, on the

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contrary, incited and spoke for the organization of the Wehrwolf; is that correct?

A. That is absolutely incorrect. This is not even propaganda for the Wehrwolf; it os an apology for cases of Wehrwolf activities.

Q. Very well. Let us leave that question. I should like to ask you if you know who the head of the organization Wehrwolf was?

A. It has already been stated in this Court Room. At the very head of it was Bormann. Under him there was a Higher SS leader whose name I have tried in vain to remember during my interrogations in Moscow. I have named one of his associates, however. That was Gunther Dalwin.

Q. Very well. Before putting the last few questions to you, I should like to ask you if it is not a fact that Rosenberg and Streicher had great influence on the German propaganda?

A. That influence was negligible. Official German propaganda was not influenced by Streicher at all, and by Rosenberg to an extent which I could hardly notice.

Q. All right. I have a few questions to put to you yet. You stated here to the High Tribunal that had you known Hitler's decrees regarding the murder of the people, you would never have followed Hitler and gone with him. Did I understand you correctly?

A. You have understood me perfectly correctly.

Q. Now, in other words, I understand you to say that you would have gone against Hitler?

A. It is hard to say what I would have done. Of course, this is a question which I have thought about a great deal now myself.

Q. I should like to ask you if, at the beginning of 1942, as you stated here to the High Tribunal, you recieved information that in the Ukraine, which was at the time occupied by the Germans, in one of the regions, an extermination of the Jews and the Ukrainian intelligentsia was being prepared, simply because of the fact that they were Jews and Ukrainian intelligentsia?

A That is correct.

Q That was in the beginning. In May of 1942 you were a member of the Sixth Army, and in the Sixth Army you learned about the existence of an order to shoot the Soviet Commissars; is that right ?

A Yes.

Q Did you consider that this sanguine order should not be applied ? Is that right ?

A That is right.

Q You knew that this order emanated from Hitler ?

A Yes, I can imagine that.

Q That is to say, 1942 you knew that Hitler's order regarding murder existed, and yet you followed him.

A You are comparing two things which are not comparable. There is quite difference between not treating commissars as prisoners of war, and giving order for the killing of five million Jews.

Q That is to say, you considered such an order possible and permissible in the conduct of the war by the German Army, is that right ? That is, if you did not immediately act against Hitler.

A No; I considered that it was impossible, so I fought against it, not only impassively as others had done, but actively.

Q But you continued to support Hitler ?

A Yes.

Q Here is the last question. During the war, did you ever happen to come accross some questions referring to preparations for biological warfare ?

A Never.

Q Did you ever hear the name of a certain Major von Passavant ?

A Yes, I know that name.

Q He was the representative of the OKW in the Ministry of Propaganda, was he not ?

A No, he was not. He was a radio expert in the organization of the Propaganda Department of the OKW.

Q A copy of a letter of the 19th of October, 1944, will be submitted to you. This letter bears your signature, and it is directed to Major von Passavant, of the OKW. This is a short document, and I am going to read it to you.

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"From the Leader of Broadcasting, to Major von Passavant, OKW.

"Herr Gustav Otto, Leader of the organization of Reichenberg is submitting a plan to me regarding biological warfare. I am submitting this proposal to you so that you might forward it to the proper organization."

It is signed "Heil Hitler. Fritsche."

Do you remember this document exactly ?

A Of course I do not remember it. At the same time, I want to state that I have no doubt that it is genuine.

Q Just a moment, please. I should like to put the last question in this way : Thus, you were for the planning and the actual undertaking by Germany of biological warfare.

I have finished; thank you.

A But I shall have to have an opportunity to answer the last question. I wish to state that I was by no means in favor of biological warfare, but the situation merely was that there were piles of letters daily, sent by listeners, which were passed on to the department concerned by some official. They were accompanied by brief notes of two or three lines which I received for signature. I did not inform myself of the contents of the letters which accompanied those short notes.

THE PRESIDENT : Dr. Fritz, do you want to re-examine ?

REDIRECT EXAMINATION

BY DR. FRITZ :

Q Just now, during General Rudenko's cross-examination, an allegation was made about your wireless speech of the 2nd of May 1940, in which you spoke about your journey to Norway. Can you tell me exactly when you went on that trip ?

A I am afraid I cannot tell you exactly, but if I am not mistaken, it was at the end of April.

Q The official report of the Norwegian Government about war damages was put to you; that is, after Norway's occupation by the Germans. I am told that the fighting which had caused this damage could only have taken place after you had already completed your journey. Is that true ?

A That is perfecty possible, but I should like to say this. In the extract which the Russian Prosecutor has read, without quoting the beginning, I described precisely what I had seen in clearly defined places; Lilihammer

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and Kurvers Valley are a few names which I now remember. To compare these statements now with the statements made by the Norwegian Government regarding the total damage is nothing less than attempt, for example, to compare a liquid measure with a yardstick, or vice versa.

Q I have one other question in this connection. Was this journey of yours carried out before the British landings or afterwards ?

A I still had an opportunity to watch the fight with the British troops. I think it was just South of a place called Ottar, in the Kurvers Valley.

DR. FRITS : Mr. President, General Rudenko, during his cross-examination, submitted three interrogation records. One was from Voss, USSR-471; one of Schorner, USSR-472; and one of Stahel, USSR-473. In the meantime I have looked through these three records, and I should like to ask the High Tribunal to compare these three records. I have ascertained that in these three records, originating from three different persons, parts of the answers repeat themselves; and they tally, word for word.

THE PRESIDENT : You aren't getting this from the witness; you are making an argument to us, and you must do that at some other time.

DR. FRITZ: Yes, but I wanted to make an application, Mr. President; I wanted to make an application. If these three records are used for the findings, then I wish to make an application that at least one of these persons who were interrogated should be at my disposal in person for the purpose of cross-examination.

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THE PRESIDENT: Were you meaning that you should see, or that we should examine, the whole of those three affidavits, or were you meaning that you wanted one of the people who made the affidavits to come here in order to give evidence and be cross examined ? Which do you mean ?

DR. FRITZ: The latter, Mr. President.

THE WITNESS: All three. I can only ask to have all three called.

THE PRESIDENT: The Tribunal will consider you applications.

DR. FRITZ: Apart from this, Mr. President, I do not wish to carry out any further redirect examination.

BY THE PRESIDENT:

Q. There is one thing, defendant. You referred to the Commissar decree, or order, and you spoke of it as though it were an order not to treat Commissars as prisoners of war. That was not the order, was it ? The order was to kill them.

A. The order which I came across at the Sixth Army was an order saying that Commissars who had been captured should be shot.

Q. Yes. That is a very different thing from not being treated as prisoners of war. The answer you gave was that you imagined the Commissar order came from Hitler. But it is a very different thing, an order not to treat Commissars as ordinary prisoners of war and to kill 5,000,000 Jews. That was not a fair comparison at all, was it ?

A. In this case, I must admit that my way of expressing myself with reference to these Commissars was not correct, Mr. President.

Q. There is one other thing I want to ask you. In October 1939, this untruthful statement was published in a German newspaper, about the Athenia. That is right, is it not ?

A. In October, 1939, during the entire month of September and of October, untruthful statements about the Athenia appeared both in the German press as well as on the German radio.

Q. Yes. But on the 23rd of October 1939, a particularly untruthful statement attributing the sinking of the Athenia to Mr. Winston Churchill was made in a German newspaper. You told us about it.

A. Yes.

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Q. And you continued to broadcast referring to those alleged facts for some time, did you not ?

A. Yes, of course, because in those days I was under the impression that they were true.

Q. That is what I wanted to ask you about. You had got a naval liaison officer in your office ?

A. Yes.

Q. What inquiries did you make ?

A. This naval officer was not actually the liaison officer between us and the supreme command of the war navy. He was the liaison officer for the entire armed forces; and in spite of this, I called on his services in connection with naval matters. He was the man whom I asked, or ordered, repeatedly to inform himself about the state of affairs connected with the investigation of the Athenia case and make his inquiries at the supreme command of the navy.

The answer was always the same. We maintain that no German submarine was near the place of the catastrophe.

Q. And are you saying that that liaison officer of the navy told you that after the 23rd of October, 1939 ?

A. Oh, yes.

Q. Did he continue to tell you that ?

A. Yes.

THE PRESIDENT: That is all. He may return to the dock.

Yes, dr. Fritz ?

DR. FRITZ: Now, with the permission of the Tribunal, I should like to call my only witness, Herr von Schirmeister.

MORITZ von SCHIRMEISTER, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q. Will you state your full name, please ?

A. Moritz von Schirmeister.

Q. Will you repeat this oath after me : I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing. (The witness repeated the oath.)

THE PRESIDENT: You may sit down.

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DIRECT EXAMINATION

BY DR. FRITZ:

Q. Mr. Witness, before beginning your examination, I should like to ask you quite generally to make your answers as brief as possible.

Will you please tell the Tribunal first of all very briefly your curriculum vitae, so that the Tribunal will know who you are and have it before them.

A. A family of officers and civil servants; three terms of theology; a few years as a banking official, some of them in South America; then editor, until my appointment in Berlin, on the 1st of October, 1931; became a member of the Party; SS Hauptsturmfuehrer in the Allgemeine SS; during the war, a soldier; on the 22nd of September, 1944, became British prisoner of war, and in Great Britain since then.

Q. When I discussed the subject of your examination with you a few days ago, you stated to me that your earlier positive attitude toward National Socialism would not prevent you in anyway from making truthful statements here; is that true ?

A. I have already told you that I had believed in this, that I have sacrificed everything to it, that I have lost everything through it. It was most bitter for me.

Today I know, however, that I have served a bad cause, from which I have liberated myself completely. In my last camp in England, I was already permitted to assist in the re-schooling of my comrades, because there I was allowed to edit a camp newspaper. And if I only could, then I would help today to rebuild a democratic Germany.

Q. When did you meet the defendant Fritsche ?

A. On the 1st of July, 1938.

Q. What were you at the time ? Which position were you occupying ?

A. I was an editor in Braunschweig and I was called into the Ministry of Propaganda in order to become personal press expert attached to Dr. Goebbels.

Q. Which position did you actually occupy in the Ministry of Propaganda ?

A. Until the 1st of July, 1943, I was the personal press expert of Dr. Goebbels, Then I became personal referendary for Secretary of State Dr. Gutterer, until the 1st of April, 1944, when, for three months, I joined the UFI with him, which was the controlling company of all German phone companies. Then, on the 31st of July, 1944, I went to the front.

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Q. Were you there together with Dr. Goebbels daily ?

A. Yes, since the outbreak of the war. Let me describe briefly to you what my activities mainly were.

Q. Yes; please do, briefly.

A. During the war I had to deal with all the news and propaganda material as it arrived, which came from the enemy broadcasting stations. I had to go through it and handle Goebbels' extracts all the time. For Dr. Goebbels these extracts formed the basis for his propaganda instructions which he issued daily in the morning, and in the afternoon and evening I had to present them to the press section and radio section by telephone. So that during the war, unless it was done by my deputies, I visited Dr. Goebbels' apartment, ate my meals with him, slept in his house, accompanied him on journeys, and so on and so forth.

Q. What position did Fritsche occupy at the time ?

A. Fritsche in those days was the deputy chief in the department of the German Press -- Inlandspresse.

Q. Will you please describe the type and significance of Fritsche's position in the Propaganda Ministry and at subsequent times, very briefly ?

A. I was to get acquainted with the work of the German press department. Conditions there were as bad as possible, The chief, Mr. Berndt, was following a mallet policy. He would give orders and yell, and I would sack editors en masse.

The average scope of the experts was below that of the average editor, as far as their knowledge and their abilities were concerned. The only steady factor was Fritsche; he was the only expert. He knew the needs and desires of the press. On the one side, he would have to mend the China which Mr. Berndt was continuously smashing, whereas, on the other hand, he was trying to replace inefficient officials in the organization with good ones.

Q. Would it be right to say, therefore, that defendant Fritsche was not appointed because he was an exponent of the party, but because he was an expert?

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A: Only as an expert. The extreme Party men in the Ministry didn't attach full value to Fritsche but as an expert, he was then und was later the good spirit of the department.

Q: Was Fritsche a member of those associates of the Ministry who would frequently consult Goebbels ?

A: Theses regular conference hadn't started to take plaze in those days at all und Fritsche wasn't a member of those in any case.

Q: So that he was only consulted when he became a department chief; is that right ?

A: As far as such conferences were taking place at all but really only since the outbreak of war.

Q: In which way did Dr.Goebbels confer with his associates ?

A: Since the beginnung of the war there were daily conferences at 11 A.M., which were presided over by Dr.Goebbels personally and during which he gave all the necessary propaganda instructions.

Q: How many people would participate in these 11 o'clock meetings ?

A: At the beginnung, that is to say, until the beginning of the Russian campaign about twenty people. Later the circle grew to about fifty people.

Q: Were there discussions during these conferences und arguments and was it more or less the handung out of orders that took place ?

A: There were nor arguments during such conferences. First of all, the liaison officer fromt the OKW would give a survey of the military situation and then Dr.Goebbels would give this instructions regarding propaganda, mostly in the press, radio for the newsreels.

Q: Who ran or who was at the head of the conferences when Dr.Goebbels wasn't present ?

A: Normally, the Secretary of State.

Q: And who presided when the Secretary of State wasn't there either?

A: Usually Mr.Fritsche and sometimes the head of the foreign press department or the foreign department but mostly Mr.Fritsche.

Q: Did Fritsche give the daily propaganda instructions in cases of that on his own initiative or what was the situation ?

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A: No; if the Minister wasn't in Berlin, he would still have himself informed currently about news material coming from abroad. The he would give to me or one of my representatives, these instructions just as usual during the ordinary conferences and I had to send the instructions through and in Berlin, they were taken down by a stenographer and then handed out or read out during the conference verbatim as the instructions coming from the Minister. Incidentally, the records of the meeting, I want to show that it was particularly described as the Minister's instructions.

Q: Here Fritsche would use some of these written instructions which you have described, which came from Dr.Goebbels; would Fritsche then come to questions and clear up questions which Goebbels dealt with, by having them up for discussions ?

A: When Dr.Goebbels continued to be absent from Berlin, it would happen that the latest news didn't get to him in time. In such cases, Mr.Fritsche would bring things up for discussions, which would be considered and then he would give instructions on his own initiative. That was then put down in writing, the Minister to read it afterward and he either approved or altered it.

Q: But, then, surely there weren't only such big conferences with thirty or fifty people present when Goebbels used to give his instructions; there must have been more intimate conferences, too.

A: In the course of the morning, individual department chiefs would certainly see the Minister for the purpose of such conferences, too.

Q: Was Fritsche consulted for the purpose of such more intimate conferences ?

A: Generally, no. The Minister used the conferences when all departments were represented, to announce the things he had to say for press, radio and newsreel. Those heads of the various departments would then come for individual conferences, whose subjects weren't of any interest to ohters.

Q: How often was Mr.Fritsche consulted in comparison, say, to Secretary of State Pankte, Putterer, and eventuelle Dr.Naumann ?

A: The Secretaries of State could always be present during these individual conferences and so could the personal referendaries who were always there and Mr.Fritsche was only present during individual conferences on very rare occassions.

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Q: What was the position of the twelve department heads of the Ministry of Propaganda, one of whom was the defendant Fritsche ?

A: These department heads could be divided up into experts on one side, such as, for instance, the domestic department, Dr.Ott, and definite Party men on the other side as, for instance, Herr Berndt, and officially they would merely have to state such matters as a department head in a Ministry would have to state. It was generally knwon that the Minister was using them as instruments and when he didn't need them any more he "chucked" them out and that didn't only apply to the department chiefs. Let me remind you what happened to Secretary of State Putterer who was chased out in an unworthy manner when he had done his job.

Q: The prosecution are accusing Fritsche of having used the news service, radio and press in Germany as his instruments and that he had played an important part in placing them into the hands of the so-called conspirators for the purpose of their so-called plans; and was the organization of the press and

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the National Socialist State in any way dependent on Fritsche; what can you say about that ?

A When Frische entered the Ministry, this press department had long been completed and constructed. Apart from that, let me tell you that even Dr. Goebbels cannot be regarded as a member of these conspirators in the sense of this Indictment in so far as he, after all, didn't want to drive us into war but carried out his task in the sense of an unbloody conconquering of countries.

Q So, then, the organization was completed, was it, when Fritsche took over the department of the German press in the winter of 1938 to 1939 ?

A Yes, absolutely complete.

Q Was Fritsche independent as the head of that department ?

A No.

Q Who was his superior ?

A Unfortunately Fritsche did not only have to work under Dr. Goebbels as as a dependant department chief, he stood between two fires, because on the other side there was the Reich Press Chief, Dr. Dietrich, and in the entire German press this split between the two was known. The Reich Press Chief, as Secretary of State, was a member of the Ministry of Propaganda but in spit of this, he demanded the right to act independently and give orders in his capacity of Reich Press Chief. If, therefore, the Minister and the Reich Press Chief did not agree on a certain point, then this was always handed to the unfortunate chief of the department of the German press, Fritsche.

Q In which way was Fritsche active in the German press organization; did he shackle it even further or did he give it more freedom ?

A I have already told you, Mr. Fritsche was the only real expert of any size who worked in the press department. He knew the needs and the worries of the press.

He knew that an editor could only work if you give him a certain amount of freedom and thus on every occasion he fought for releasing the shackles. He did much more than had became apparent to the outside world because, after all, the Minister would then make a decision in this way or another and the outside world would only know what the Minister wanted.

THE PRESIDENT : Do you think he has answered the question ?

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Q Did Dr. Goebbels have any objections to the way the Press worked? Weren't they severe enough? Please be very brief.

A It was not severe enough and not stupid enough, yes.

Q And how did Fritsche react to such demands both with reference to individual journalists and with reference to entire newspapers?

A Again and again, on every opportunity, both during the conferences headed by the Minister as well as on the occasion of private invitations by the Minister, he talked for the Press and for the journalists and he tried to represent their point of view to the Minister.

Q Can you mention a few names of journalists or papers for whom Fritsche acted in the described manner?

THE PRESIDENT: Dr. Fritz, why should he call the names of individual journalists and papers? Isn't it too detailed to go into that?

DR. FRITZ: Very well, but Mr. President, may I, in that case, at least offer an affidavit in connection with this problem, Fritsche Exhibit No. 5. It is in my Document Book No. 2 and you will find it on Page 22. It comes from the chief editor of the Frankfurter Zeitung, Dr. Wendelin Hecht, and I should like to quote it very briefly:

"I am herewith making the following declaration in lieu of oath, for submission to the International Military Tribunal:

"1. It is true that several years prior to a ban against the 'Frankfurter Zeitung' Hans Fritsche also helped to protect it by withholding copies of the 'Frankfurter Zeitung' from the Fuehrer's headquarters.

"2. In the numerous attacks directed against the 'Frankfurter Zeitung' because of its political attitude, the Defendant Hans Fritsche repeatedly intervened, in favor of a continued publication of the 'Frankfurter Zeitung'. Loutkirch, 6 March 1946. Dr. Wendelin Hecht."

BY DR. FRITZ:

Q Who was there, apart from Goebbels, in the way of influential people in the Ministry of Propaganda?

A After Secretary of State Hancke's departure there was only one man in the Ministry of Propaganda who had any real influence on the Minister. Only one man to whom Dr. Goebbels had some personal relations, and that was his later Secretary of State and personal referendee, Dr. Naumann.

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Q Did Fritsche come to you frequently to learn details about the Minister's views because the Minister just wouldn't inform Defendant Fritsche himself?

A Very often, because Mr. Fritsche knew that I had many private conversations with the Minister, too, and he always complained that he was suspended in the air, that he was swimming and continually I communicated the Minister's views to him in this matter or that. I did succeed in helping insofar as I could arrange for him to be privately invited by Dr. Goebbels, during which Mr. Fritsche's wishes were openly discussed.

Q Did Goebbels take definite charge of the radio himself?

A During the war the radio was the most important instrument of propaganda for Dr. Goebbels which he had. He did not scrutinize any department as carefully as he did the wireless department, the radio department. In meetings which he presided over, the most minute details of the artictic programs were decided upon by him personally.

Q That is enough, Mr. Witness. Was Fritsche really the leading man of German broadcasting, as it appeared to the outside world?

A There again, by no means. The leading man was Dr. Goebbels. Apart from that, here again Fritsche sat between two stools, because there were the demands by the Foreign Office, for instance, with reference to foreign broadcasts.

Q Was Fritsche perhaps too lenient for Dr. Goebbels when he made his broadcasts?

A I myself had repeated occasions when I had to reprimand Fritsche by Goebbel's orders because he said his broadcasts were much too weak.

Q Did Goebbels ever praise him and, if so, in what manner?

A If, as wasoften the case, the Minister would praise Fritsche --

THE PRESIDENT: We don't have any interest in whether Goebbels praised him.

BY DR. FRITZ:

Q Then another question. Has Defendant Fritsche ever contradicted the Minister?

A Mr. Fritsche was one of the few people in the Ministry of Propaganda who would contradict the Minister, both during conferences and in his apartment, and always quietly and decisively and often with quite an effect.

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DR. FRITZ: Mr. President, may I have your permission to draw your attention at this point to a document, an affidavit of Scharping, Fritsche Exhibit No. 2, which has already been mentioned frequently, and may I draw your attention to Page 7, the end of Page 7, and the beginning of Page 8, in my Document Book No. 2. Then perhaps, if I may, I should like to quote one brief sentence. I quote: "During the so-called Minister conferences, it was exclusively Fritsche who would contradict Goebbels in political questions."

BY DR. FRITZ:

Q Mr. Witness, who was responsible for the definitely erroneous or exaggerated news in the German Press during the Sudeten crisis?

A That was Alfred Berndt, the head of that department. In those days he spent nights sitting over General Staff maps, Press books and lists of names, and he manufactured atrocity reports from Sudeten Germany. Just then Mr. Fritsche was worried about the developments. He came to me once and he asked me: "What are we drifting into? Aren't we drifting into war? If only we knew what they are wanting at the top and what is behind it all."

Q And then another question on the same subject. Did Goebbels, in connection with any military or political actions, which were carried out or were to be carried out, ever consult previously with Defendant Fritsche?

A Not only not with Mr. Fritsche but with nobody at all. The Minister never had any such consultations.

Q Fritsche states that he had only heard of Dr. Goebbel's participation in the anti-Jewish riots in 1938 much later and that he had heard it by means of a remark made by Dr. Goebbels. That doesn't sound very credible, because after all, Defendant Fritsche was a close associate of Dr. Goebbels. Can you give us an explanation?

A In 1938 we in the Ministry did not realize, not one of us, that Dr. Goebbels was the originator. During that famous night Dr. Goebbels was in Berlin. As far as I remember, just before that he had been to see the Fuehrer and he was still in Southern Germany. The conversation which you have just mentioned didn't take place until the middle of the war. It happened at Lancke, one of the apartments of the Minister, on the occasion of an invitation when Mr. Fritsche was also there. At the time someone asked the Minister quite directly about his connection with the atrocities, the outrages

of November, 1938. Thereupon, Dr. Goebbels said that the National Socialist economists had arrived at the conclusion that the elimination of Jewry from Germany's economy could not be carried out further.

Q Mr. Witness -- excuse me. That is enough. We have heard about it already today. Did Fritsche later on -- I believe it is supposed to have been in June, '44 -- talk to you about his general attitude toward the Jewish problem?

A In May or June, '44, I talked to Fritsche in his apartment about the fact that on the day of these outrages he had told me: "Von Schirmeister, can one still go on with this sort of thing as a decent human being?" And then he said to me: "You know, admittedly, I have always been against the Jews, but only in the sense that some of the Jews were against themselves." And he quoted some Jewish newspapers, the very paper, I think --

Q That is enough, Mr. Witness. Then how did Fritsche's anti-Semitic statements in various of his broadcasted speeches happen just the same?

A They had been ordered by the minister. From the English press we hadrecognized that there was a certain anti-Semitic current in Britain which was growing, but a law in England stopped this from appearing in the British Press. Now the minister tried to find a common factor against which our propaganda abroad could be directed. This common factor was the Jew.

In order to support the foreign propaganda from the Reich, Fritsche now received orders that in Germany, too, he should touch upon this subject in some of his broadcasts.

THE PRESIDENT: How long do you think you will be in concluding the case of the de fendant Fritsche?

DR. FRITZ: I think three-quarters of an hour and no more, Mr. President.

THE PRESIDENT: Well then, after that the Tribunal will continue the case of the defendant Bormann until 1:00 o'clock tomorrow.

(The Tribunal adjourned until 29 June 1946 at 1000 hours).

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